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| **World Radiocommunication Conference (WRC-19)Sharm el-Sheikh, Egypt, 28 October – 22 November 2019** |  |
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| PLENARY MEETING | **Addendum 17 toDocument 24-E** |
|  | **20 September 2019** |
|  | **Original: English** |
|  |
| Asia-Pacific Telecommunity Common Proposals |
| Proposals for the work of the Conference |
|  |
| Agenda item 2 |

2 to examine the revised ITU-R Recommendations incorporated by reference in the Radio Regulations communicated by the Radiocommunication Assembly, in accordance with Resolution **28 (Rev.WRC-15)**, and to decide whether or not to update the corresponding references in the Radio Regulations, in accordance with the principles contained in Annex 1 to Resolution **27 (Rev.WRC-12)**;

Introduction

At the 5th Meeting of the APT Conference Preparatory Group for WRC-19 (APG19-5), APT Members considered the following two issues associated with this agenda item.

Issue 1: Merger of Resolutions **27 (Rev.WRC-12)** and **28 (Rev.WRC-15)**

Issue 2: Consideration on the ITU-R Recommendations incorporated by reference in the Radio Regulations which have been revised and approved since WRC-15.

Details of the related proposals along with explanatory text are given below.

Proposals

Issue 1) Merger of Resolutions 27 (Rev.WRC-12) and 28 (Rev.WRC‑15)

APT Members propose merger of Resolutions **27 (Rev.WRC-12)** and **28 (Rev.WRC-15).** The following Table is provided for better understanding of the proposed text for the merger of Resolutions **27 (Rev.WRC-12)** and **28 (Rev.WRC-15)**.

Comparison of the elements contained in Resolutions 27 and 28

| Current Resolution 27 | Current Resolution 28 | New proposed text for Res. 27 |
| --- | --- | --- |
| Resolution 27 (Rev.WRC-12) | Resolution 28 (Rev.WRC-15) | Resolution 27 (Rev.WRC-19) |
|  | *considering a)* | *considering a)* |
| *considering a)* |  | *considering b)* |
| *considering b)* | *considering b)* | *considering c)* combined with edits |
|  | *considering c)* | (deletion) |
|  | *considering d)* | *considering d)* |
|  | *considering e)* | *considering e)* |
|  | *considering f)* | *considering f)* |
|  | *considering g)* | *considering g)* |
| *noting* |  | *noting a)* |
|  | *noting* | *noting b)* |
| *resolves 1* |  | *resolves* 1 |
| 5.1 of Annex 1 |  | *resolves* 2 |
| 5.2 of Annex 1 |  | *resolves* 3 |
| 3 of Annex 1 |  | *resolves* 4 |
| 4 of Annex 1 |  | *resolves* 5 |
| *resolves* 2 |  | *resolves* 6 |
| item 1 |  |  6.1 |
| 2 of Annex 1 |  |  6.2 |
| *resolves* 2, item 2 |  | (deletion) |
| *resolves* 2, item 3 |  |  *6.3* |
| *resolves* 3 |  | *resolves* 7 |
| 5.3 of Annex 1 |  |
| *resolves* 4 |  | *resolves* 8 |
| *resolves* 5 |  | *resolves* 9 |
| 6 of Annex 1 |  | *resolves* 10 (edited) |
|  | *resolves* 1 | *further resolves* 1 |
|  | *resolves* 2 | *further resolves* 2 |
|  | *resolves* 3 | *further resolves* 3 |
|  | *resolves* 4 | *further resolves* 4 (reworded) |
| *instructs the Director* 1 |  | *instructs the Director* 1 |
| *instructs the Director* 2 |  | *instructs the Director* 2 |
| *instructs the Director* 3 |  | *instructs the Director* 3 |
|  | *instructs the Director*  | *instructs the Director* 4 |
| *invites administrations* |  | *invites administrations* 1 |
|  | *urges administrations* 1 | *invites administrations* 2 |
|  | *urges administrations* 2 | *invites administrations* 3 |
| 1 of Annex 1 |  | (deletion) redundant |
| 5.4 of Annex 1 |  | (deletion) redundant |
| Annex 2 |  | Annex 1 |
| Annex 3  |  | Annex 2 (modified) |

MOD ACP/24A17/1#50356

RESOLUTION 27 (Rev.WRC‑19)

Use of incorporation by reference in the Radio Regulations and revision of references to the text of ITU‑R Recommendations incorporated by reference

The World Radiocommunication Conference (Sharm el-Sheikh, 2019),

considering

*a)* that the Voluntary Group of Experts (VGE) on simplification of the Radio Regulations proposed the transfer of certain texts of the Radio Regulations to other documents, especially to ITU‑R Recommendations, using the incorporation by reference procedure;

*b)* that the principles of incorporation by reference were adopted by WRC‑95 and revised by subsequent conferences;

*c)* that, in some cases, there are provisions in the Radio Regulations containing references which fail to distinguish adequately whether the status of the referenced text is mandatory or non‑mandatory;

*d)* that all texts of ITU‑R Recommendations incorporated by reference are published in a volume of the Radio Regulations;

*e)* that, taking into account the rapid evolution of technology, ITU‑R may revise the ITU‑R Recommendations containing text incorporated by reference at short intervals;

*f)* that, following revision of an ITU‑R Recommendation containing text incorporated by reference, the reference in the Radio Regulations shall continue to apply to the earlier version until such time as a competent world radiocommunication conference (WRC) agrees to incorporate the new version;

*g)* that it would be desirable that texts incorporated by reference reflect the most recent technical developments,

noting

*a)* that references to Resolutions or Recommendations of a world radiocommunication conference (WRC) require no special procedures, and are acceptable for consideration, since such texts will have been agreed by a WRC;

*b)* that administrations need sufficient time to examine the potential consequences of changes to ITU‑R Recommendations containing text incorporated by reference and would therefore benefit greatly from being advised, as early as possible, of which ITU‑R Recommendations have been revised and approved during the elapsed study period or at the Radiocommunication Assembly preceding the WRC,

resolves

1 that for the purposes of the Radio Regulations, the term “incorporation by reference” shall only apply to those references intended to be mandatory;

2 that the text incorporated by reference shall have the same treaty status as the Radio Regulations themselves;

3 that the reference must be explicit, specifying the specific part of the text (if appropriate) and the version or issue number;

4 that, where a mandatory reference to an ITU‑R Recommendation, or parts thereof, is included in the *resolves*of a WRC Resolution, which is itself cited in a provision or footnote of the Radio Regulations using mandatory language (i.e. “shall”), ITU‑R Recommendation or parts thereof shall also be considered as incorporated by reference;

5 that texts which are of a non-mandatory nature or which refer to other texts of a non‑mandatory nature shall not be considered for incorporation by reference;

6 that when considering the introduction of new cases of incorporation by reference, such incorporation shall be kept to a minimum and made by applying the following criteria:

6.1 only texts which are relevant to a specific WRC agenda item may be considered;

6.2 where the relevant texts are brief, the referenced material should be placed in the body of the Radio Regulations rather than using incorporation by reference;

6.3 the guidance contained in Annex 1 to this Resolution shall be applied in order to ensure that the correct method of reference for the intended purpose is employed;

7 that the text of the incorporation by reference must be submitted for adoption by a competent WRC and the procedure described in Annex 2 to this Resolution shall be applied for approving the incorporation by reference of ITU‑R Recommendations or parts thereof;

8 that existing references to ITU‑R Recommendations shall be reviewed to clarify whether the reference is mandatory or non-mandatory in accordance with Annex 1 to this Resolution;

9 that ITU‑R Recommendations, or parts thereof, incorporated by reference at the conclusion of each WRC, and a cross-reference list of the regulatory provisions, including footnotes and Resolutions, incorporating such ITU‑R Recommendations by reference, shall be collated and published in a volume of the Radio Regulations (see Annex 2 to this Resolution);

10 that if, between WRCs, a text incorporated by reference (e.g. an ITU‑R Recommendation) is updated, the reference in the Radio Regulations shall continue to apply to the earlier version incorporated by reference until such time as a competent WRC agrees to incorporate the new version; the mechanism for considering such a step is given in *further resolves* part of this Resolution,

further resolves

1 that each radiocommunication assembly shall communicate to the following WRC a list of the ITU‑R Recommendations containing text incorporated by reference in the Radio Regulations which have been revised and approved during the elapsed study period;

2 that, on this basis, WRC should examine those revised ITU‑R Recommendations, and decide whether or not to update the corresponding references in the Radio Regulations;

3 that, if the WRC decides not to update the corresponding references, the currently referenced version shall be maintained in the Radio Regulations;

4 to invite future world radiocommunication conferences to include a standing agenda item which examine revised ITU‑R Recommendations in accordance with *further resolves*1 and2 of this Resolution,

instructs the Director of the Radiocommunication Bureau

1 to bring this Resolution to the attention of the Radiocommunication Assembly and the ITU‑R Study Groups;

2 to identify the provisions and footnotes of the Radio Regulations containing references to ITU‑R Recommendations and make suggestions on any further action to the second session of the Conference Preparatory Meeting (CPM) for its consideration and inclusion in the CPM Report;

3 to identify the provisions and footnotes of the Radio Regulations containing references to WRC Resolutions that contain references to ITU‑R Recommendations, and make suggestions on any further action to the second session of the CPM for its consideration and inclusion in the CPM Report;

4 to provide the second session of the CPM with a list, for inclusion in the CPM Report, of those ITU‑R Recommendations containing texts incorporated by reference that have been revised or approved since the previous WRC, or that may be revised in time for the following WRC,

invites administrations

1 to submit proposals to future conferences, taking into account the CPM Report, in order to clarify the status of references, where ambiguities remain regarding the mandatory or non-mandatory status of the references in question, with a view to amending those references:

i) that appear to be of a mandatory nature, identifying such references as being incorporated by reference by using clear linking language in accordance with Annex 1;

ii) that are of a non-mandatory character, so as to refer to “the most recent version” of the Recommendations;

2 to participate actively in the work of the radiocommunication study groups and the radiocommunication assembly on revision of those Recommendations to which mandatory references are made in the Radio Regulations;

3 to examine any indicated revisions of ITU‑R Recommendations containing text incorporated by reference and to prepare proposals on possible updating of relevant references in the Radio Regulations.

  ANNEX 1 TO RESOLUTION 27 (Rev.WRC‑19)

Application of incorporation by reference

When introducing new cases of incorporation by reference in the provisions of the Radio Regulations or reviewing existing cases of incorporation by reference, administrations and ITU‑R should address the following factors in order to ensure that the correct method of reference is employed for the intended purpose, according to whether each reference is mandatory (i.e. incorporated by reference), or non‑mandatory:

Mandatory references

1 mandatory references shall use clear linking language, i.e. “shall”;

2 mandatory references shall be explicitly and specifically identified, e.g. “Recommendation ITU‑R M.541‑8”;

3 if the intended reference material is, as a whole, unsuitable as treaty-status text, the reference shall be limited to just those portions of the material in question which are of a suitable nature, e.g. “Annex A to Recommendation ITU‑R Z.123-4”.

Non-mandatory references

4 Non-mandatory references or ambiguous references that are determined to be of a non‑mandatory character (i.e. not incorporated by reference) shall use appropriate language, such as “should” or “may”. This appropriate language may refer to “the most recent version” of a Recommendation. Any appropriate language may be changed at any future WRC.

ANNEX 2 TO RESOLUTION 27 (Rev.WRC‑19)

Procedures applicable by WRC for approving the incorporation
by reference of ITU‑R Recommendations or parts thereof

During the course of each WRC, a list of the ITU‑R Recommendations incorporated by reference, and a cross-reference list of the regulatory provisions, including footnotes and Resolutions, incorporating such ITU‑R Recommendations by reference, shall be developed and maintained by the committees. These lists shall be published as a conference document in line with developments during the conference.

Following the end of each WRC, the Bureau and General Secretariat will update the volume of the Radio Regulations which serves as the repository of ITU‑R Recommendations incorporated by reference in line with developments at the conference as recorded in the above-mentioned document.

**Reasons:** Merging two Resolutions related to incorporation by reference in order to have a single and clear Resolution without losing the necessary elements in the current two Resolutions. This could make the preparatory work of Member States and/or the Secretariat more efficient; erase cross-references in both Resolutions; and delete the redundant texts in the Resolutions.

SUP ACP/24A17/2#50357

RESOLUTION 28 (Rev.WRC-15)

Revision of references to the text of ITU‑R Recommendations
incorporated by reference in the Radio Regulations

**Reasons:** Merging two Resolutions related to incorporation by reference in order to have a single and clear Resolution without losing the necessary elements in the current two Resolutions. This could make the preparatory work of Member States and/or the Secretariat more efficient; erase cross-references in both Resolutions; and delete the redundant texts in the Resolutions.

MOD ACP/24A17/3

RESOLUTION [ACP-A10-WRC23] (WRC‑19)

Agenda for the 2023 World Radiocommunication Conference

The World Radiocommunication Conference (Sharm el-Sheikh, 2019),

...

2 to examine the revised ITU‑R Recommendations incorporated by reference in the Radio Regulations communicated by the Radiocommunication Assembly, in accordance with *further* *resolves* of Resolution **27 (Rev.WRC-19)**, and to decide whether or not to update the corresponding references in the Radio Regulations, in accordance with the principles contained in *resolves* of that Resolution;

...

**Reasons:** Consequential changes to the wording of standing WRC agenda item related to incorporation by reference based on proposed merger of Resolutions **27 (Rev.WRC-12)** and **28 (Rev.WRC-15)**.

Issue 2) ITU-R Recommendations incorporated by reference in the Radio Regulations which have been revised and approved since WRC-15

There are three IBR Recommendations that have been revised since WRC-15 as shown in Table A1. APT Members propose updating the references to these ITU-R Recommendations to the most recent versions. The relevant text in the RR footnotes, provisions and WRC Resolutions incorporating these Recommendations by reference, as identified in the cross-reference Table in Volume 4 of the Radio Regulations, needs to be updated accordingly.

Table A1

IBR Recommendations revised since WRC-15

|  |  |  |
| --- | --- | --- |
| Current version in the RR Volume 4 | The most recent version | Relevant RR provisions and footnotes  |
| **P.525-2** | **P.525-4 (\*)** | No. **5.444B** (via Resolution **748 (Rev.WRC-15))** |
| **P.526-13** | **P.526-15 (\*)** | No. **5.444B** (via Resolution **748 (Rev.WRC-15))** |
| **RS.1260-1** | **RS.1260-2** | No. **5.279A** |

(\*) Currently this is under the adoption/approval process.

ARTICLE 5

Frequency allocations

Section IV – Table of Frequency Allocations
(See No. 2.1)

MOD ACP/24A17/4

5.279A The use of the frequency band 432-438 MHz by sensors in the Earth exploration-satellite service (active) shall be in accordance with Recommendation ITU‑R RS.1260‑2. Additionally, the Earth exploration-satellite service (active) in the frequency band 432-438 MHz shall not cause harmful interference to the aeronautical radionavigation service in China. The provisions of this footnote in no way diminish the obligation of the Earth exploration-satellite service (active) to operate as a secondary service in accordance with Nos. 5.29 and 5.30.     (WRC‑19)

**Reasons:** References to the most recent version of Recommendation incorporated by reference ITU‑R RS.1260.

MOD ACP/24A17/5

5.444B The use of the frequency band 5 091-5 150 MHz by the aeronautical mobile service islimited to:

 – systems operating in the aeronautical mobile (R) service and in accordance with international aeronautical standards, limited to surface applications at airports. Such use shall be in accordance with Resolution **748 (Rev.WRC‑19)**;

 – aeronautical telemetry transmissions from aircraft stations (see No. **1.83**) in accordance with Resolution **418 (Rev.WRC‑15)**.     (WRC‑15)

**Reasons:** Modification of reference to Resolution **748 (Rev.WRC-19)**.

MOD ACP/24A17/6

RESOLUTION 748 (REV.WRC‑19)

Compatibility between the aeronautical mobile (R) service and the fixed-satellite service (Earth-to-space) in the frequency band 5 091-5 150 MHz

The World Radiocommunication Conference (Sharm el-Sheikh, 2019),

...

resolves

1 that any AM(R)S systems operating in the frequency band 5 091-5 150 MHz shall not cause harmful interference to, nor claim protection from, systems operating in the ARNS;

2 that any AM(R)S systems operating in the frequency band 5 091-5 150 MHz shall meet the SARPs requirements published in Annex 10 of the ICAO Convention on International Civil Aviation and the requirements of Recommendation ITU‑R M.1827‑1, to ensure compatibility with FSS systems operating in that frequency band;

3 that, in part to meet the provisions of No. **4.10**, the coordination distance with respect to stations in the FSS operating in the frequency band 5 091-5 150 MHz shall be based on ensuring that the signal received at the AM(R)S station from the FSS transmitter does not exceed −143 dB(W/MHz), where the required basic transmission loss shall be determined using the methods described in Recommendations ITU‑R P.525‑4 and ITU‑R P.526‑15,

...

**Reasons:** References to the most recent version of Recommendations incorporated by reference ITU-R P.525 and ITU-R P.526.

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