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**Document RRB22-2/15-E**  
**4 July 2022**  
**English**

**SUMMARY OF DECISIONS**  
**OF THE**  
**90<sup>TH</sup> MEETING OF THE RADIO REGULATIONS BOARD**

27 June – 1 July 2022

Present:

Members, RRB

Mr T. ALAMRI, Chairman

Mr E. AZZOUZ, Vice-Chairman

Ms C. BEAUMIER, Mr L. F. BORJÓN FIGUEROA, Ms S. HASANOVA,  
Mr A. HASHIMOTO, Mr Y. HENRI, Mr D. Q. HOAN, Ms L. JEANTY,  
Mr S. M. MCHUNU, Mr H. TALIB, Mr N. VARLAMOV

Executive Secretary, RRB

Mr M. MANIEWICZ, Director, BR

Précis-Writers

Ms C. RAMAGE and Mr. P. METHVEN, Ms K. YATES

Also present:

Ms J. WILSON, Deputy Director, BR and Chief IAP

Mr A. VALLET, Chief, SSD

Mr C.C. LOO, Head, SSD/SPR

Mr M. SAKAMOTO, Head, SSD/SSC

Mr J. WANG, Head, SSD/SNP

Mr N. VASSILIEV, Chief, TSD

Mr K. BOGENS, Head, TSD/FMD

Mr D. BOTHA, SGD

Ms K. GOZAL, Administrative Secretary

Item No.	Subject	Action/decision and reasons	Follow-up
1	Opening of the meeting	<p>The Chairman, Mr T. ALAMRI, welcomed the members of the Board to the 90<sup>th</sup> meeting and noted with satisfaction the presence of all Board members in person and wished the Board members a very fruitful meeting.</p> <p>The Director of the Radiocommunication Bureau, Mr M. MANIEWICZ, on behalf of the Secretary-General, Mr H. ZHAO, also welcomed the members of the Board, indicating with appreciation that it was the second in-person meeting in a row with the presence of all Board members. He also indicated that, since March 2022, the World Telecommunication Standardization Assembly and all ITU-R study group and working party meetings had been convened as in-person meetings with remote participation, which had greatly facilitated progress in the meetings and that the World Telecommunication Development Conference had also been successfully convened as an in-person event with remote participation. The Director furthermore wished the Board a successful meeting.</p>	-
2	Adoption of the agenda <a href="#">RRB22-2/OJ/1(Rev.1)</a> ; <a href="#">RRB22-2/DELAYED/1</a> ; <a href="#">RRB22-2/DELAYED/2</a> ;	The Board adopted the draft agenda with modifications, as contained in Document RRB22-2/OJ/1(Rev.1). The Board decided to defer consideration of Documents RRB22-2/DELAYED/1 and RRB22-2/DELAYED/2, as both documents had been received after the 10-day deadline for delayed contributions commenting on the submission of another administration, as provided for in No. 1.6 of Part C of the Rules of Procedure, and instructed the Bureau to add those documents to the agenda of the 91 <sup>st</sup> meeting.	<p>Executive Secretary to communicate these decisions to the administrations concerned.</p> <p>Bureau to add Documents RRB22-2/DELAYED/1 and RRB22-2/DELAYED/2 to the agenda of the 91<sup>st</sup> meeting.</p>

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3	Report by the Director, BR <a href="#">RRB22-2/2</a> ; <a href="#">RRB22-2/2(Add.1)</a> ; <a href="#">RRB22-2/2(Add.2)</a> ; <a href="#">RRB22-2/2(Add.3)</a> ; <a href="#">RRB22-2/2(Add.4)</a> ; <a href="#">RRB22-2/2(Add.5)</a> ; <a href="#">RRB22-2/2(Add.6)</a> ; <a href="#">RRB22-2/2(Add.7)</a> ; <a href="#">RRB22-2/2(Add.10)</a>	The Board considered in detail the Report of the Director, as contained in Document RRB22-2/2 and the addenda thereto, and thanked the Bureau for the information provided.	-
		a) The Board noted § 1 and Annex 1 to Document RRB22-2/2, on actions arising from the decisions of the 89 <sup>th</sup> Board meeting.	-
		b) The Board noted § 2 of Document RRB22-2/2, on the processing of filings for terrestrial and space systems, and appreciated the indications from the Director that, despite the budgetary restrictions, there would be sufficient resources for the processing of filings.	-
		c) The Board noted §§ 3.1 and 3.2 of Document RRB22-2/2, on late payments and Council activities, respectively, under the implementation of cost recovery for satellite network filings.	-
		d) The Board noted § 4.1 of Document RRB22-2/2, on the statistics on harmful interference and infringements of the Radio Regulations.	-
		e) The Board considered in detail § 4.2 of Document RRB22-2/2 and Addenda 1 and 4 thereto, on harmful interference to broadcasting stations in the VHF/UHF bands between Italy and its neighbouring countries. The Board noted with satisfaction the good progress and results achieved in solving cases of harmful interference relating to existing and planned DAB and DVB-T stations; however, there was still little progress in resolving cases of harmful interference involving FM sound broadcasting stations. The Board further noted that: <ul style="list-style-type: none"> <li>• the Administration of Italy had indicated its intention to focus on cases of harmful interference to FM sound broadcasting stations once the DAB Plan had been finalized;</li> <li>• a new law relating to Italian FM regulation had been adopted which would provide the Italian Ministry and Authority with a mandate to</li> </ul>	Executive Secretary to communicate these decisions to the administrations concerned.  Bureau to: <ul style="list-style-type: none"> <li>• continue providing assistance to the administrations concerned;</li> <li>• report on progress on this matter to</li> </ul>

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		<p>solve cases of harmful interference and rationalize the use of the spectrum;</p> <ul style="list-style-type: none"> <li>the Administration of Italy would take steps to improve its coordination efforts with the Administration of Slovenia.</li> </ul> <p>The Board expressed its appreciation to:</p> <ul style="list-style-type: none"> <li>the Bureau for organizing the multilateral meeting and the support provided to the administrations;</li> <li>the administrations for their participation in the multilateral meeting and their cooperation and efforts in trying to resolve the long-standing matter.</li> </ul> <p>The Board encouraged all administrations to continue their coordination efforts in goodwill and the exchange of information required to resolve the cases of harmful interference.</p> <p>The Board requested the Administration of Italy once more to take all necessary measures to eliminate harmful interference to the FM sound broadcasting transmissions of its neighbouring countries, focusing on the priority list of FM sound broadcasting stations.</p> <p>The Board instructed the Bureau to:</p> <ul style="list-style-type: none"> <li>continue providing assistance to the administrations concerned;</li> <li>report on progress on the matter to the next Board meeting.</li> </ul>	<p>the next Board meeting.</p>
		<p>f) The Board noted § 4.5 of Document RRB22-2/2, on harmful interference to the EMARSAT-1G, EMARSAT-5G, YAHSAT and MADAR-52.5E satellite networks of the Administration of the United Arab Emirates.</p>	<p>-</p>
		<p>g) The Board noted § 5 of Document RRB22-2/2, on the implementation of No. <b>11.44.1</b>, No. <b>11.47</b>, No. <b>11.48</b>, No. <b>11.49</b>, No. <b>9.38.1</b>, Resolution <b>49 (Rev.WRC-19)</b> and No. <b>13.6</b> of the Radio Regulations.</p>	<p>-</p>

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		h) The Board noted § 6 of Document RRB22-2/2, on the implementation of Resolution <b>40 (Rev.WRC-19)</b> .	-
		i) The Board noted § 7 of Document RRB22-2/2, on the review of findings to frequency assignments to non-GSO FSS satellite systems under Resolution <b>85 (WRC-03)</b> .	-
		j) Regarding § 8 of Document RRB22-2/2, on submissions under the provisions of Resolution <b>35 (WRC-19)</b> , the Board instructed the Bureau to report to future Board meetings on the number of satellites deployed and the frequency bands used by those deployments.	Bureau to report to future Board meetings on the number of satellites deployed and the frequency bands used by these deployments.
		k) Regarding Addendum 2 to Document RRB22-2/2, on the status of requests for new allotments under RR Appendix <b>30B</b> , the Board expressed its appreciation to the Bureau for providing the report and for its efforts to assist administrations in the implementation of decisions taken by the Board at its 89 <sup>th</sup> meeting, serving as interim regulatory measures until WRC-23, in response to requests of seven administrations for a national allotment in accordance with Article 7 of RR Appendix <b>30B</b> . The Board noted with satisfaction the goodwill that the Administration of Belarus had displayed in protecting the Article 7 submission of the proposed allotment of the Administration of Bosnia and Herzegovina by accepting the Bureau's proposals. The Board further noted that that would avoid degradation of the aggregate <i>C/I</i> levels of the proposed allotment. The Board once more urged administrations with Part A submissions received before 12 March 2020 to make all efforts to accommodate Article 7 submissions of other administrations and to take into account the results of the analyses of the Bureau and the measures to avoid further degradation of the <i>C/I</i> levels when preparing their Part B submissions.	Bureau to continue to provide support to administrations in their coordination efforts in the implementation of decisions taken by the Board at its 89 <sup>th</sup> meeting and to report on progress on the matter at the 91 <sup>st</sup> meeting.

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		<p>The Board instructed the Bureau to continue to provide support to administrations in their coordination efforts in the implementation of decisions taken by the Board at its 89<sup>th</sup> meeting and to report on progress on the matter at its 91<sup>st</sup> meeting.</p>	
		<p>l) The Board noted Addendum 3 to Document RRB22-2/2, which contained the opinion of the ITU Legal Advisor on the application of §§ 4.1.10b and 4.1.10c of RR Appendices <b>30</b> and <b>30A</b> and §§ 6.14 and 6.14bis of RR Appendix <b>30B</b>, and that the opinion confirmed the decisions taken by the Board on that issue at its 89<sup>th</sup> meeting.</p>	-
		<p>m) Regarding Addendum 5 to Document RRB22-2/2, which contained a request from the Administration of Ukraine that the decision taken by the Board at its 89<sup>th</sup> meeting should continue to be applied until the declaration of the end of martial law in Ukraine, the Board decided to accede to the request from the administration on the understanding that the Board would continue to re-assess the situation at future meetings.</p>	Executive Secretary to communicate these decisions to the administration concerned.
		<p>n) Regarding Addendum 6 to Document RRB22-2/2, on the progress report on the implementation of Resolution <b>559 (WRC-19)</b>, the Board expressed its appreciation for the continuous support of the Bureau to notifying administrations of Res. 559 submissions and the coordination efforts of the administrations. The Board considered that the proposed measures of the Bureau contained in the addendum for the processing of Part B of Res. 559 submissions were in agreement with the spirit of Resolution <b>559 (WRC-19)</b>. Consequently, the Board decided to agree to the proposals of the Bureau, namely:</p> <ul style="list-style-type: none"> <li>• when the notifying administration of the Res. 559 submission had explicitly indicated in the cover letter of its Part B submission that the reference situation of certain networks should not be updated because an agreement had been obtained with the notifying administration(s) of those networks, the Bureau would not update the</li> </ul>	Bureau to continue to support administrations in these efforts and to report on progress at the next Board meeting.

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		<p>reference situation of the networks concerned, when entering frequency assignments of a Res. 559 submission in the List;</p> <ul style="list-style-type: none"> <li>when the Bureau had been explicitly informed by the notifying administration of a Res. 559 submission that an agreement had been reached with any other administration in order to ignore test points that were located on the territory of the latter administration and that would be degraded by the incoming Res. 559 submission, the Bureau would ignore those degraded test points in the examination of Part B of the Res. 559 submission. Such an agreement could also be provided by the other administration but it had to be communicated to the Bureau at the latest before the start of the formal examination of the Part B submission.</li> </ul> <p>The Board encouraged administrations to further cooperate in their coordination activities so that notifying administrations of Res. 559 submissions could submit their requests for inclusion in the BSS Plans in time for WRC-23. Furthermore, the Board instructed the Bureau to continue to support administrations in those efforts and to report on progress at the next Board meeting.</p>	
		<p>o) Regarding Addendum 7 to Document RRB22-2/2, on the coordination activities between the Administrations of France and Greece concerning the satellite networks ATHENA-FIDUS-38E at 38°E and HELLAS-SAT-2G at 39°E, the Board noted with satisfaction the progress made in the coordination efforts between the two administrations and that two additional coordination meetings had been scheduled in July and September 2022 with the support of the Bureau. The Board also thanked the Bureau for its support to the two administrations in their coordination activities and encouraged the Administrations of France and Greece to continue their coordination efforts in goodwill. The Board instructed the Bureau to continue to provide support for those efforts and to report on progress at the next Board meeting.</p>	<p>Executive Secretary to communicate these decisions to the administrations concerned.</p> <p>Bureau to continue to provide support for these efforts and to report on progress at the next Board meeting.</p>

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		<p>p) Regarding Addendum 10 to Document RRB22-2/2, on the discussions and coordination efforts between the Administrations of Saudi Arabia, acting as the notifying administration for the intergovernmental satellite organization ARABSAT, and France, acting as the notifying administration of its own satellite networks, of their satellite networks at the orbital positions 25.5°E and 26°E in the 30/20 GHz frequency range, the Board thanked the Bureau for its support to the two administrations that resulted in the completion of the coordination efforts in the Ku-band. The Board encouraged both administrations to continue their coordination efforts in goodwill. The Board instructed the Bureau to continue to support both administrations in their coordination efforts and in convening future coordination meetings, and to report on progress to the next Board meeting.</p>	<p>Executive Secretary to communicate these decisions to the administrations concerned.</p> <p>Bureau to continue to support both administrations in their coordination efforts and in convening future coordination meetings, and to report on progress to the next Board meeting.</p>
<b>4</b>	<b>Rules of Procedure</b>		
<b>4.1</b>	<p>List of Rules of Procedure <a href="#">RRB22-2/1; RRB20-2/1(Rev.6)</a></p>	<p>Following a meeting of the Working Group on the Rules of Procedure, under the chairmanship of Mr Y. HENRI, the Board decided to update the list of proposed rules of procedure in Document RRB22-2/1, taking into account the progress on the draft rule of procedure on Resolution <b>1 (Rev.WRC-97)</b>.</p> <p>On the issue of frequency assignments to stations located on disputed territories, the Board thanked the Bureau for the additional updated text of the draft rule of procedure on Resolution <b>1 (Rev.WRC-97)</b>, which included comments from the ITU Legal Affairs Unit. The Board agreed on the elements to be included in the draft rule of procedure. Regarding the territories that might be qualified as disputed in the application of the draft rule of procedure, the Board instructed the Bureau to request the ITU Legal Affairs Unit to request the United Nations Geospatial Information Section to identify such territories and their respective legal status, with the objective of reflecting that information in the rule of</p>	<p>Executive Secretary to publish the list of proposed rules of procedure on the website.</p> <p>Bureau to request the ITU Legal Affairs Unit to request the United Nations Geospatial Information Section to identify such territories and their respective legal status, with the objective of reflecting that information in the</p>



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		<p>procedure, and to report to the 91<sup>st</sup> Board meeting on the outcome of that consultation.</p>	<p>rule of procedure, and to report to the 91<sup>st</sup> Board meeting on the outcome of that consultation.</p>
<b>5</b>	<b>Issues and requests relating to the extension of regulatory time limits to bring or to bring back into use frequency assignments to satellite networks</b>		
5.1	<p>Submission by the Administration of Indonesia requesting the extension of the regulatory time limit to bring into use the frequency assignments to the NUSANTARA-H1-A satellite network <a href="#">RRB22-2/5</a></p>	<p>In considering Document RRB22-2/5, containing the submission from the Administration of Indonesia, the Board thanked the administration for the detailed information provided in support of its request for an extension of the regulatory time limit to bring into use the frequency assignments to the NUSANTARA-H1-A satellite network. The Board noted that:</p> <ul style="list-style-type: none"> <li>• the regulatory deadline to bring into use the frequency assignments to the NUSANTARA-H1-A satellite network was 24 August 2022;</li> <li>• a satellite lease agreement existed between the Indonesian satellite operator and the satellite manufacturer, signed on 27 September 2021 for leasing the GS-1 satellite;</li> <li>• the GS-1 satellite construction had been completed and had been ready for shipment to the launch site in January 2022, and had been expected to be launched within the initial launch window between 15 April and 15 May 2022;</li> <li>• although the administration had invoked a case of <i>force majeure</i> in support of its request, the delay in the launch of the GS-1 satellite had been due to the lack of readiness of the primary mission of the shared launch vehicle;</li> <li>• the launch had been delayed until no earlier than 16 August 2022.</li> </ul> <p>The Board recognized the efforts that the Administration of Indonesia had made to fulfil its regulatory obligations by issuing a request for information</p>	<p>Executive Secretary to communicate these decisions to the administration concerned.</p>

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		<p>on 4 February 2022 to find a satellite operator that could provide a temporary satellite to bring into use the frequency assignments within the regulatory time limit. Based on the information and supporting documentation provided, the Board concluded that the situation qualified to be considered as a case of co-passenger delay as provided for in Part A11 of the Rules of Procedure. Consequently, the Board decided to accede to the request of the Administration of Indonesia to grant an extension of the regulatory time limit to bring into use the frequency assignments to the NUSANTARA-H1-A satellite network. In noting that there was an uncertainty in the performance of the electric thruster of the satellite and that the Board did not provide extensions to regulatory time limits because of the use of electric propulsion systems, the Board decided to set the extension of the regulatory time limit to 31 December 2022.</p>	
5.2	<p>Submission by the Administration of the Russian Federation requesting an extension of the regulatory time limit for bringing into use the frequency assignments to the SKY-F satellite network <a href="#">RRB22-2/8</a></p>	<p>The Board considered in detail the request from the Administration of the Russian Federation as contained in Document RRB22-2/8. The Board noted that:</p> <ul style="list-style-type: none"> <li>• the regulatory time limit to bring into use the frequency assignments to the SKY-F satellite network was 5 October 2022;</li> <li>• the initial launch of the satellite had been scheduled for 29 September 2022 together with the Gonets-M satellites as the primary payload;</li> <li>• agreements to fund the manufacture and launch of the satellite had been provided and manufacturing of the satellite was proceeding in accordance with the agreed schedule, but no detail had been provided on the status of the satellite construction;</li> <li>• information had been provided to justify rescheduling the launch date from 29 September 2022 to January/February 2023, owing to the delay in the readiness of the primary payload.</li> </ul>	<p>Executive Secretary to communicate these decisions to the administration concerned.</p> <p>Bureau to continue to take into account the frequency assignments to the SKY-F satellite network until the end of the 91<sup>st</sup> Board meeting.</p>

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		<p>The Board considered that, while the request contained elements that would allow the situation to qualify as a case of co-passenger delay, the Board was unable to come to a decision on the request at its 90<sup>th</sup> meeting as additional information was required in accordance with Part A11 of the Rules of Procedure, concerning the extension of the regulatory time-limit to bring into use satellite frequency assignments. The Board requested the Administration of the Russian Federation to provide the required information, which should include:</p> <ul style="list-style-type: none"> <li>• a summary description of the satellite to be launched, including the frequency bands;</li> <li>• the status of the satellite construction, including the date on which the construction began and whether it had been expected to be completed prior to the initial launch window.</li> </ul> <p>Furthermore, the Board instructed the Bureau to continue to take into account the frequency assignments to the SKY-F satellite network until the end of the 91<sup>st</sup> Board meeting.</p>	
5.3	<p>Submission by the Administration of Papua New Guinea providing additional information on the NEW DAWN 25 satellite network in response to the decision of the 89<sup>th</sup> Radio Regulations Board meeting <a href="#">RRB22-2/12</a></p>	<p>In considering Document RRB22-2/12, containing the submission from the Administration of Papua New Guinea, the Board thanked the administration for the detailed additional information provided in response to the decision of the 89<sup>th</sup> Board meeting and in support of its request for an extension of the regulatory time limit to bring into use the frequency assignments to the NEW DAWN 25 satellite network. The Board noted that:</p> <ul style="list-style-type: none"> <li>• the administration had provided satisfactory justification for the 21-month period for signing a contract with a satellite manufacturer;</li> <li>• after the catastrophic failure of the satellite, the main efforts of the administration had been to restore services to customers and to identify the cause of the failure which had led to the selection of a different manufacturer;</li> </ul>	<p>Executive Secretary to communicate these decisions to the administration concerned.</p>

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		<ul style="list-style-type: none"> <li>• the detailed discussions on, and the finalization of, the design of the multi-band replacement satellite had been delayed due to the impact of the COVID pandemic;</li> <li>• supporting documentation indicated that a contract had been signed with a satellite manufacturer on 31 December 2020 for delivery of the satellite on 31 October 2023;</li> <li>• anticipated timelines for the launch, in orbit raising, testing and drifting to the 50°W position had been provided;</li> <li>• the timeline for the replacement satellite to enter into operation had been reduced by eight months compared with the previous timeline the administration had provided to the 88<sup>th</sup> and 89<sup>th</sup> Board meetings.</li> </ul> <p>Furthermore, the Board recognized the efforts of the Administration of Papua New Guinea to find a temporary satellite to fulfil its regulatory obligations for bringing back into use the frequency assignments to the NEW DAWN 25 satellite network. Based on the information provided, the Board concluded that the situation satisfied all the conditions to qualify as a case of <i>force majeure</i>. Consequently, the Board decided to accede to the request of the Administration of Papua New Guinea to grant an extension of the regulatory time-limit to bring back into use the frequency assignments to the NEW DAWN 25 satellite network in the bands 19.7 - 20.2 GHz and 29.5 - 30.0 GHz until 28 April 2024. The Board encouraged the Administration of Papua New Guinea to make all efforts to observe the reduced timeline for bringing into operation the replacement satellite.</p>	
5.4	Submission by the Administration of France requesting an extension of the regulatory time limit for bringing into use frequency assignments to satellite network AST-NG-	The Board considered in detail the request of the Administration of France as contained in Document RRB22-2/13(Rev.1) and thanked the administration for the detailed information provided in support of its request. The Board noted that:	Executive Secretary to communicate these decisions to the administration concerned.

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	<p>NC-QV (non-GSO) <a href="#">RRB22-2/13(Rev.1)</a></p>	<ul style="list-style-type: none"> <li>• the regulatory deadline to bring into use the frequency assignments in the frequency bands subject to Resolution <b>771 (WRC-19)</b> was 23 November 2022;</li> <li>• the construction and testing of the satellite had been completed on 5 April 2022;</li> <li>• the original launch schedule of the satellite had been planned for 15-30 April 2022, with four months identified for orbit raising using electric propulsion;</li> <li>• the administration would have been able to meet the regulatory deadline to bring into use the frequency assignments to the AST-NG-NC-QV satellite network in the absence of the cancellation of the launch event with a margin of three months spare;</li> <li>• the cancellation of the launch of the OneWeb Gen 1 satellite had been due to the introduction of unforeseen international sanctions, which had made it impossible for the administration to fulfil its regulatory obligations;</li> <li>• the satellite operator had entered into a contract with another launch provider with a new launch date no earlier than October 2022;</li> <li>• it was not able to grant extensions of regulatory time-limits based on additional contingencies.</li> </ul> <p>Based on the information provided, the Board concluded that the situation satisfied all the conditions to qualify as a case of <i>force majeure</i>. Consequently, the Board decided to accede to the request from the Administration of France to grant an extension of the regulatory time-limit to bring into use the frequency assignments to the AST-NG-NC-QV satellite network in the bands 47.2 - 50.2 GHz, 50.4 - 51.4 GHz and 37.5 - 42.5 GHz, which were subject to Resolution <b>771 (WRC-19)</b>, until 30 April 2023.</p>	
6	Cases of coordination difficulties and harmful interference		

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6.1	<p>Submission by the Administration of Türkiye regarding harmful interference from ARABSAT satellite networks at 30.5°E towards TURKSAT satellite networks at 31°E</p> <p><a href="#">RRB22-2/6</a>; <a href="#">RRB22-2/2(Add.8)</a>; <a href="#">RRB22-2/2(Add.9)</a></p>	<p>The Board considered in detail Documents RRB22-2/6, RRB22-2/14 and Addenda 8 and 9 to Document RRB22-2/2, on the coordination efforts and harmful interference between ARABSAT satellite networks at 30.5°E and TURKSAT satellite networks at 31°E. The Board expressed its appreciation for the efforts of the Bureau in organizing and convening a coordination meeting between the Administrations of Saudi Arabia and Türkiye, and for the support provided to the administrations in their coordination efforts, as well as in organizing the space monitoring activities. The Board also thanked the Administration of Germany for its valuable efforts in performing space monitoring and geolocation measurements. The Board noted with satisfaction that the source of unmodulated signals causing intentional harmful interference had been eliminated as a result of the space monitoring actions in the bands 12.5 – 12.75 GHz and 13.75 – 14.0 GHz. The Board further noted with appreciation the initial constructive efforts of the two administrations to address the uncoordinated use of the radio spectrum and orbital resources.</p> <p>The Board again encouraged both administrations to:</p> <ul style="list-style-type: none"> <li>• exercise the utmost goodwill and mutual assistance in the application of the provisions of Article 45 of the ITU Constitution and Section VI of RR Article <b>15</b> to eliminate all harmful interference;</li> <li>• promptly establish an interim agreement to allow the operation of the two satellite systems free of harmful interference, while coordination efforts for their long-term operation were pursued;</li> <li>• continue their coordination efforts in goodwill and in an equitable manner, taking into account the rule of procedure on RR No. <b>9.6</b>, to find mutually acceptable solutions that would eliminate all harmful interference on a permanent basis;</li> </ul>	<p>Executive Secretary to communicate these decisions to the administrations concerned and to thank the Administration of Germany for its cooperation.</p> <p>Bureau to:</p> <ul style="list-style-type: none"> <li>• continue to support the two administrations in their coordination efforts;</li> <li>• convene bilateral coordination meetings with the participation and support of the Bureau;</li> <li>• report on progress on coordination to the 91<sup>st</sup> Board meeting.</li> </ul>
	<p>Submission by the Administration of Saudi Arabia (Kingdom of) regarding the coordination of the ARABSAT 5A and 6A satellite networks at 30.5°E and the TURKSAT-5A satellite network at 31°E in the Ku-band (10.95 - 11.2 GHz, 11.45 - 11.7 GHz and 14.0 - 14.5 GHz)</p> <p><a href="#">RRB22-2/14</a></p>		

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		<ul style="list-style-type: none"> <li>• exchange technical information and pursue all possible technical solutions, including, but not limited to, polarization separation, frequency band segmentation and transmit power level reductions.</li> </ul> <p>The Board instructed the Bureau to:</p> <ul style="list-style-type: none"> <li>• continue to support the two administrations in their coordination efforts;</li> <li>• convene bilateral coordination meetings with the participation and support of the Bureau;</li> <li>• report on progress in coordination to the 91<sup>st</sup> Board meeting.</li> </ul>	
<b>7</b>	<b>Cases of harmful interference</b>		
<b>7.1</b>	Submission by the Administration of Japan regarding harmful interference from Russian satellite networks to Japanese satellite networks at 128°E <a href="#">RRB22-2/7</a>	The Board considered § 4.4 of Document RRB22-2/2 and Document RRB22-2/7, on harmful interference from Russian satellite networks to Japanese satellite networks at 128°E. The Board expressed its appreciation for the efforts of the Bureau in organizing the space monitoring efforts and thanked the Administration of the Republic of Korea for performing the space monitoring and geolocation measurements. The Board noted with satisfaction the response from the Administration of the Russian Federation, which was now ready to interact with the Administration of Japan to seek mutually acceptable solutions and had investigated the issue of harmful interference to the Japanese satellite networks at 128°E. The Board encouraged both administrations to pursue their efforts in goodwill to resolve the case of harmful interference and to exchange technical information that would assist in finding solutions to the issue. The Board instructed the Bureau to assist the two administrations in their efforts and to report on progress to the 91 <sup>st</sup> Board meeting.	Executive Secretary to communicate these decisions to the administrations concerned and to thank the Administration of the Republic of Korea for its cooperation.  Bureau to assist the two administrations in their efforts and to report on progress to the 91 <sup>st</sup> Board meeting.
<b>7.2</b>	Submission by the Administration of the United Kingdom of Great Britain and Northern Ireland regarding harmful	The Board considered § 4.3 of Document RRB22-2/2 and Document RRB22-2/10, on harmful interference to emissions of United Kingdom high	Executive Secretary to communicate these decisions to the

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	<p>interference to emissions of United Kingdom high frequency broadcasting stations published in Accordance with RR Article <b>12</b> <a href="#">RRB22-2/10;</a></p>	<p>frequency (HF) broadcasting stations published in accordance with RR Article <b>12</b>. The Board noted that:</p> <ul style="list-style-type: none"> <li>• the Bureau had made efforts to convene a bilateral meeting between the Administrations of China and the United Kingdom, which had been unsuccessful;</li> <li>• the HF broadcasting emissions of the United Kingdom, which had been fully coordinated and published in accordance with the provisions of RR Article <b>12</b>, continued to experience harmful interference;</li> <li>• measurements from monitoring efforts, including measurements by stations of the international monitoring system, had confirmed the existence of harmful interference originating from within the territory of China;</li> <li>• results of the monitoring measurements indicated that the characteristics of the interfering signals would not be from natural sources or consistent with those of broadcasting signals;</li> <li>• operation of stations that carry unnecessary emissions was in direct contravention of RR No. <b>15.1</b>.</li> </ul> <p>Consequently, the Board urged the Administration of China to promptly implement adequate measures to eliminate all harmful interference to the HF emissions of the United Kingdom. The Board furthermore urged both administrations to exercise the utmost goodwill and spirit of cooperation, to resolve the cases of harmful interference.</p> <p>The Board instructed the Bureau to:</p> <ul style="list-style-type: none"> <li>• continue efforts to convene a bilateral meeting between the Administrations of China and the United Kingdom to facilitate discussions and to address the cases of harmful interference;</li> <li>• continue to provide support to the two administrations;</li> </ul>	<p>administrations concerned.</p> <p>Bureau to:</p> <ul style="list-style-type: none"> <li>• continue efforts to convene a bilateral meeting between the Administrations of China and the United Kingdom to facilitate discussions and to address the cases of harmful interference;</li> <li>• continue to provide support to the two administrations;</li> <li>• report on any progress to the 91<sup>st</sup> Board meeting.</li> </ul>



Item No.	Subject	Action/decision and reasons	Follow-up
		<ul style="list-style-type: none"> <li>report on any progress to the 91<sup>st</sup> Board meeting.</li> </ul>	
8	<p>Submission by the Administration of Japan requesting a change in the BR IFIC publication procedure of non-GSO satellite networks/system filings in the band 17.3 - 17.8 GHz not subject to epfd limits or the coordination procedure contained in Section II of Article 9 of the Radio Regulations</p> <p><a href="#">RRB22-2/4</a></p>	<p>The Board considered in detail the request from the Administration of Japan, as contained in Document RRB22-2/4, and thanked the administration for having brought the matter to its attention. The Board noted that:</p> <ul style="list-style-type: none"> <li>it did not have the authority to amend the provisions of the Radio Regulations nor to instruct the Bureau to deviate from the provisions of the Radio Regulations;</li> <li>ITU-R Working Party 4A at its meeting in May 2022 had not agreed to create a new topic under WRC-23 agenda item 7 to address the matter;</li> <li>in April 2022, the Bureau had introduced a new verification measure, which had resulted in dividing the frequency bands of notices into those that were subject to coordination procedures under Section II of RR Article 9 and those not subject to those coordination procedures, and publishing each in its relevant special section accordingly;</li> <li>the new verification measure afforded administrations the opportunity to comment on cases where it had previously not been possible, i.e. for non-GSO FSS satellite systems in Region 2 in the frequency band 17.7 - 17.8 GHz.</li> </ul> <p>Consequently, the Board concluded that it could not accede to the request from the Administration of Japan.</p>	<p>Executive Secretary to communicate these decisions to the administration concerned.</p>
9	<p>Submission from the Administration of the Russian Federation on the examination by the ITU Radiocommunication Bureau of notifications for frequency assignments to IMT stations with active antenna arrays in</p>	<p>With reference to Document RRB22-2/9, the Board considered the request from the Administration of the Russian Federation and thanked it for bringing the matter to its attention. The Board noted that:</p> <ul style="list-style-type: none"> <li>CPM23-1 had charged ITU-R Working Party 5D to study, as a matter of urgency, the methodology of filling in item 8AA of notifications for</li> </ul>	<p>Executive Secretary to communicate these decisions to the administration concerned.</p>

Item No.	Subject	Action/decision and reasons	Follow-up
	<p>the frequency band 24.25 - 27.5 GHz <a href="#">RRB22-2/9</a></p>	<p>frequency assignments to IMT stations with active antenna arrays in the frequency band 24.25 - 27.5 GHz;</p> <ul style="list-style-type: none"> <li>• the issue was still under study in ITU-R Working Party 5D and, once completed, the outcome of the study would be submitted to the Director;</li> <li>• the 1 458 frequency assignments to mobile stations in the band 24.25 - 27.5 GHz recorded in the MIFR had not been identified as IMT, and it was unclear what type of antenna system was used by those assignments;</li> <li>• changing the finding of the 1 458 frequency assignments from “favourable” to “qualified favourable” would not necessarily facilitate the review of the frequency assignments subsequent to a decision of WRC-23.</li> </ul> <p>Consequently, the Board decided not to accede to the request from the Administration of the Russian Federation; however, the Board instructed the Bureau to:</p> <ul style="list-style-type: none"> <li>• provide a remark to the 1 458 recorded frequency assignments and future frequency assignments to land mobile service stations in the band 24.45 - 27.5 GHz received until the methodology was completed and approved, indicating the need to review such frequency assignments once the ITU-R Working Party 5D studies were completed;</li> <li>• request the notifying administration, once the methodology was approved by a WRC and had entered into force, to confirm that the value of the power to the antenna (8AA) in the assignment was in accordance with the approved methodology for determining item 8AA for IMT stations, in the band 24.45 - 27.5 GHz, with antennas that consisted of an array of active elements (see Document 550 of WRC-19).</li> </ul>	<p>Bureau to:</p> <ul style="list-style-type: none"> <li>• provide a remark to the 1 458 recorded frequency assignments and future frequency assignments to land mobile service stations in the band 24.45 - 27.5 GHz received until the methodology is completed and approved, indicating the need to review such frequency assignments once the ITU-R Working Party 5D studies are completed;</li> <li>• request the notifying Administration, once a methodology is approved by a WRC and has entered into force, to confirm that the value of the power to the antenna (8AA) in the assignment is in</li> </ul>

Item No.	Subject	Action/decision and reasons	Follow-up
			<p>accordance with the approved methodology for determining item 8AA for IMT stations, in the band 24.45 - 27.5 GHz, with antennas that consist of an array of active elements (see Document 550 of WRC-19).</p>
<p><b>10</b></p>	<p>Submission by the Administration of Liechtenstein requesting a one-year extension of Resolution <b>35 (WRC-19)</b> milestones for all satellite filings subject to this Resolution <a href="#">RRB22-2/11</a></p>	<p>The Board considered in detail the request from the Administration of Liechtenstein, as contained in Document RRB22-2/11. The Board expressed its appreciation to the administration for having brought the matter to its attention. The Board noted that:</p> <ul style="list-style-type: none"> <li>• the request was for a general one-year extension of the milestones for all satellite network filings subject to the provisions of Resolution <b>35 (WRC-19)</b>;</li> <li>• the Board had the mandate to consider requests for the extension of regulatory deadlines due to situations of <i>force majeure</i> and co-passenger delay strictly on a case-by-case basis;</li> <li>• <i>resolves</i> 12 of Resolution <b>35 (WRC-19)</b> provided a mechanism so that administrations with satellite network filings for which the end of the seven-year regulatory period in RR No. <b>11.44</b> was before 28 November 2022 could request a waiver from the requirement to meet the first milestone if they encountered difficulties;</li> </ul>	<p>Executive Secretary to communicate these decisions to the administration concerned.</p>

Item No.	Subject	Action/decision and reasons	Follow-up
		<ul style="list-style-type: none"> <li>• in accordance with <i>instructs the Radiocommunication Bureau 2 of Resolution 35 (WRC-19)</i>, the Bureau would report any difficulties encountered in the implementation of the resolution to WRC-23;</li> <li>• modifying the provisions of a WRC resolution or the Radio Regulations was not within its mandate.</li> </ul> <p>Consequently, the Board decided that it was not in a position to accede to the request from the Administration of Liechtenstein and encouraged the administration to conform to the provisions of the Radio Regulations and Resolution <b>35 (WRC-19)</b>.</p>	
11	Consideration of issues related to Resolution <b>80 (Rev.WRC-07)</b>	<p>Under the chairmanship of Ms C. BEAUMIER of the Working Group on the Report on Resolution <b>80 (Rev.WRC-07)</b> to WRC-23, the Board developed and finalised its contribution to the Plenipotentiary Conference 2022 (PP-22) describing cases considered relating to Article 48 of the ITU Constitution and the need to clarify the invocation of the article in relation to the Radio Regulations to avoid abuse of its application. The Board instructed the Bureau to submit to PP-22 the document contained in the Annex to the summary of decisions.</p> <p>The Board reviewed a first draft of the Report on Resolution <b>80 (Rev.WRC-07)</b> to WRC-23 and identified additional elements to be included in the Report for some of the issues based on the cases considered and decisions at that meeting.</p>	Bureau to submit to PP-22 the document contained in the Annex to this summary of decisions.
12	Confirmation of the date of the next meeting and indicative dates for future meetings	<p>The Board confirmed the dates for the 91<sup>st</sup> meeting as 31 October – 4 November 2022 in Room L.</p> <p>The Board further tentatively confirmed the dates for its subsequent meetings in 2023 as:</p> <ul style="list-style-type: none"> <li>• 92<sup>nd</sup> meeting: 20–24 March 2023 (Room L);</li> <li>• 93<sup>rd</sup> meeting: 26 June–4 July 2023 (CCV, Room Genève);</li> </ul>	-

Item No.	Subject	Action/decision and reasons	Follow-up
		<ul style="list-style-type: none"> <li>• 94<sup>th</sup> meeting: 16–20 October 2023 (CCV, Room Genève).</li> </ul>	
<b>13</b>	Any other business	-	-
<b>14</b>	Approval of the summary of decisions	The Board approved the summary of decisions as contained in Document RRB22-2/15.	-
<b>15</b>	Closure of the meeting	The meeting closed at 1640 hours on 1 July 2022.	

## **ANNEX**

### **Invocation of Article 48 of the ITU Constitution in relation to the Radio Regulations**

#### **Introduction**

In its report to the World Radiocommunication Conference of 2019 (WRC-19) on issues affecting the fulfilment of the principles contained in Article 44 of the ITU Constitution, the Radio Regulations Board (hereinafter referred to as the Board) considered concerns raised by some administrations' application of Article 48 of the Constitution. These concerns were relating to the invocation of Article 48 in response to investigations initiated by the Radiocommunication Bureau (BR) in application of provisions of the Radio Regulations. WRC-19, in accordance with Article 21 of the Convention, invited the Plenipotentiary Conference 2022 (PP-22) to consider the question of the invocation of Article 48 in relation to the Radio Regulations and to take necessary actions, as appropriate.

#### **Background**

In its report to WRC-19, the Board identified concerns raised by some administrations regarding the appropriateness of other administrations' invocation of Article 48. The alleged cases of non-compliance with Article 48 that were presented to the Board can be categorized as follows:

- Administrations invoking Article 48 after the Bureau has launched an investigation to verify whether frequency assignments were actually in use within regulatory deadlines as a means to prevent the investigation and retain rights in the Master International Frequency Register (MIFR);
- Administrations invoking Article 48 for frequency assignments that are not used for military radio installations.

The Board considered that invoking Article 48 for the sole purpose of preventing the Bureau from investigating the status of satellite networks was incompatible with the Constitution and the Radio Regulations.

In addressing the cases mentioned above, the Board took into account the guidance offered by WRC-15, which had concluded that, once administrations had invoked Article 48 explicitly, information to respond to an investigation could no longer be requested by the Bureau or the Board. As a result, the Board was not in a position to make decisions on cases where Article 48 was invoked, in the absence of clear direction to ensure coherent application of the rights of administrations under Article 48 and their obligations under the Radio Regulations.

Since WRC-19, the Board has received a request to develop a rule of procedure in respect of Article 48. This request stemmed from concerns of Article 48 being invoked in response to a coordination request for terrestrial frequency assignments in order to avoid providing the characteristics of the assignments on which the objection was based, making it impossible to address potential interference. Noting that WRC-19 had invited PP-22 to provide guidance on the invocation of Article 48, the Board decided not to develop a rule of procedure on invoking Article 48 under the application of coordination procedures at that stage.

## Discussion

Article 6 of the Constitution, on execution of the instruments of the Union, recognizes that Article 48 provides an exemption to the overall obligation to abide by the provisions of the Radio Regulations. Article 48 further recognizes that “*Member States retain their entire freedom with regard to military radio installations*”, as stipulated in No. 202 of the Constitution. The following two provisions of Article 48 confirm, however, that this recognition does not provide a complete and definitive derogation to the provisions of the Administrative Regulations:

**203 2** *Nevertheless, these installations must, so far as possible, observe statutory provisions relative to giving assistance in case of distress and to the measures to be taken to prevent harmful interference, and the provisions of the Administrative Regulations concerning the types of emission and the frequencies to be used, according to the nature of the service performed by such installations.*

**204 3** *Moreover, when these installations take part in the service of public correspondence or other services governed by the Administrative Regulations, they must, in general, comply with the regulatory provisions for the conduct of such services.*

The Board is of the view that these provisions of the Constitution do not imply that the rights for international recognition and protection could be obtained and maintained through the invocation of Article 48 without the relevant frequency assignments having been successfully recorded in the MIFR. In addition, the Board is very concerned about the potential for misuse of Article 48 and how such abuse would seriously compromise the integrity of the regulatory framework. Furthermore, in instances where there appears to be contradictory information suggesting that frequency assignments for which Article 48 has been invoked are not used for military radio installations, the Board should be able to invite the administration concerned to provide clarification.

## Conclusions

The Board considers that it is necessary to provide clarity on the invocation of Article 48 in relation to the Radio Regulations and, further, that it is essential to avoid abuse of its application. The Board seeks guidance that could be used to address cases under Article 48. The Board invites PP-22 to confirm that:

- 1) a Member State invoking Article 48 for frequency assignments must use these frequency assignments exclusively for military radio installations;
- 2) Article 48 cannot be invoked for frequency assignments used by non-military radio installations or by both military and non-military radio installations;
- 3) BR and the Board can seek clarification and consequently apply all relevant regulatory provisions if it appears from reliable information that a recorded frequency assignment for which Article 48 has been invoked is actually not in compliance therewith;
- 4) regardless of whether Article 48 is invoked, frequency assignments used by military radio installations are entitled to international recognition and the right to claim protection from harmful interference only if they are recorded in the MIFR.