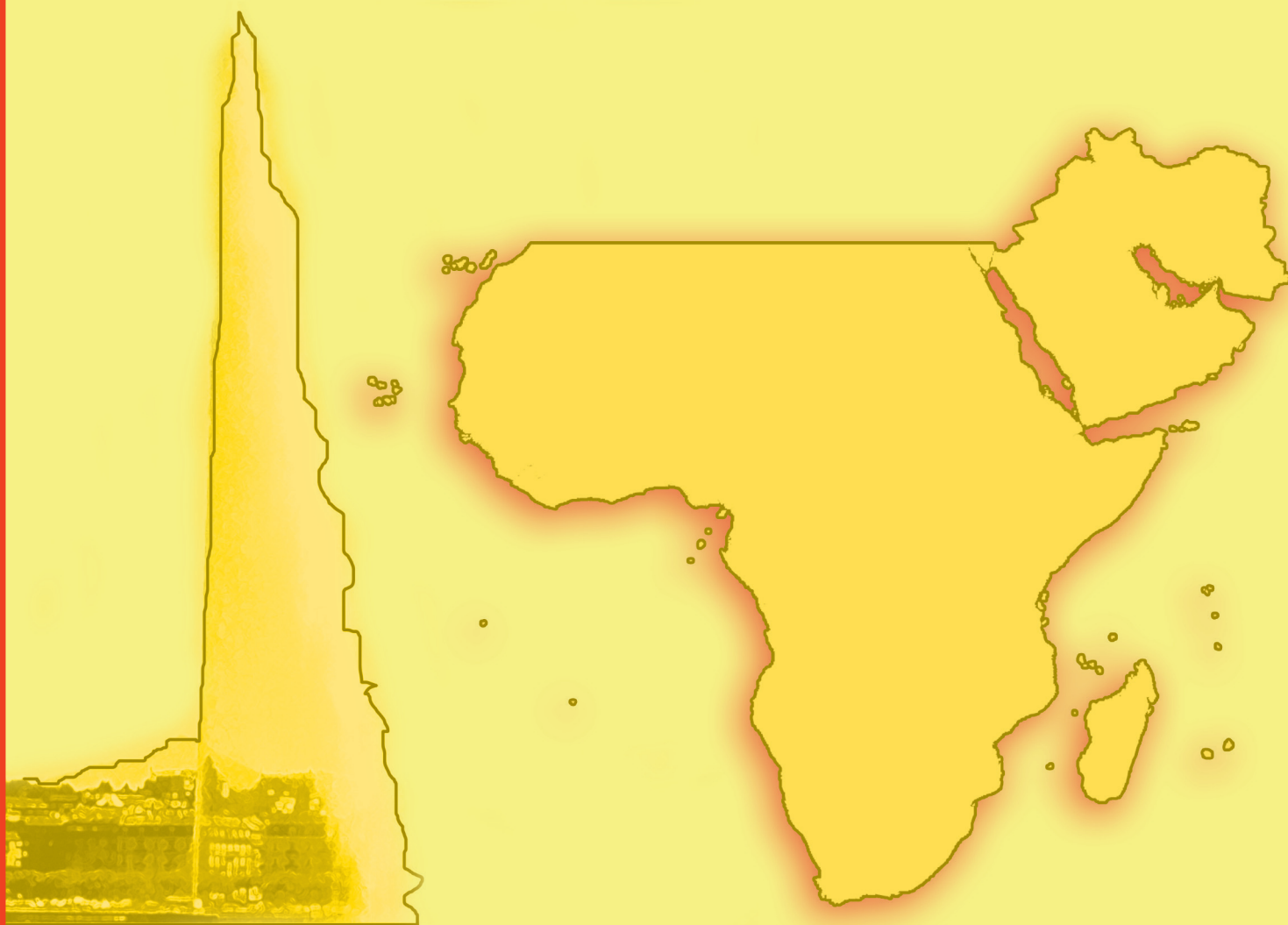


International Telecommunication Union

Final Acts

of the Regional Radiocommunication Conference
for the revision of the Geneva 1989 Agreement
(RRC-06-Rev.GE89)

Geneva, 15 May - 16 June 2006



Final Acts

**of the Regional Radiocommunication Conference
for the revision of the Geneva 1989 Agreement
(RRC-06-Rev.GE89)**

Geneva, 15 May - 16 June 2006

© ITU 2006

All rights reserved. No part of this publication may be reproduced, by any means whatsoever, without the prior written permission of ITU.

TABLE OF CONTENTS

FINAL ACTS

of the Regional Radiocommunication Conference
for the revision of the GE89 Agreement
(RRC-06-Rev.GE89)
(Geneva, 2006)

Page

Preamble	V
Protocol revising certain parts of the Regional Agreement relating to the planning of VHF/UHF television broadcasting in the African Broadcasting Area and neighbouring countries (Geneva, 1989) (Geneva, 2006)	1
PREAMBLE	1

Articles

ARTICLE 1: Definitions	5
ARTICLE 2: Revision of certain parts of the GE89 Agreement	5
ARTICLE 3: Entry into force and provisional application of the Protocol	5
ARTICLE 4: Approval of the Protocol	6
ARTICLE 5: Accession to the Protocol	6
ARTICLE 6: Approval of or accession to the GE89 Agreement	6
ARTICLE 7: Amendment and revision of the Protocol	6
Declarations and Reservations	9
Additional Declarations and Reservations	20

Resolutions

RESOLUTION 1 (RRC-06-Rev.GE89) Suspension of the Article 4 procedure of the Regional Agreement (Geneva, 1989) in the frequency bands 174-230 MHz and 470-62 MHz.....	25
RESOLUTION 2 (RRC-06-Rev.GE89) Revision of certain Resolutions and Recommendations adopted by the Regional Administrative Conference for the Planning of VHF/UHF television broadcasting in the African Broadcasting Area and neighbouring countries (Geneva, 1989)	26

Preamble

The First Session of the Regional Radiocommunication Conference for planning of the digital terrestrial broadcasting service in parts of Regions 1 and 3 in the frequency bands 174-230 MHz and 470-862 MHz (Geneva, 10-28 May 2004) adopted Resolution GT-PLN/1 (RRC-04), by which it recommended the course of action with a view to harmonizing the parts of the GE89 Agreement that relate to the use of the frequency bands 174-230 MHz and 470-862 MHz with the relevant decisions of the Regional Radiocommunication Conference for the planning of the digital terrestrial broadcasting service in Region 1 (parts of Region 1 situated to the west of meridian 170° E and to the north of parallel 40° S, except the territory of Mongolia) and in the Islamic Republic of Iran, in the frequency bands 174-230 MHz and 470-862 MHz (Geneva, 2006) (RRC-06).

At its 2004 session, the Council of the International Telecommunication Union (ITU) resolved, by its Resolution 1226, to convene a regional radiocommunication conference, associated in time and place with the RRC-06, to revise the GE89 Agreement accordingly, and established its agenda. The agenda, dates and place of the Conference were approved by the required majority of ITU Member States from the Planning Area.

RRC-06-Rev.GE89 met in Geneva, in the period between 15 May and 16 June 2006, and worked on the basis of the agenda approved by the Council. It adopted the *Protocol revising certain parts of the Regional Agreement relating to the planning of VHF/UHF television broadcasting in the African Broadcasting Area and neighbouring countries (Geneva, 1989) (Geneva, 2006)*, as well as the associated Resolutions, as contained in these Final Acts.

Protocol revising certain parts of the Regional Agreement relating to the planning of VHF/UHF television broadcasting in the African Broadcasting Area and neighbouring countries (Geneva, 1989)

(Geneva, 2006)

PREAMBLE

The undersigned delegates of the following Member States:

People's Democratic Republic of Algeria, Republic of Angola, Kingdom of Saudi Arabia, Republic of Botswana, Burkina Faso, Republic of Burundi, Republic of Cameroon, Republic of Cape Verde, Republic of the Congo, Republic of Côte d'Ivoire, Republic of Djibouti, Arab Republic of Egypt, United Arab Emirates, Spain, France, Gabonese Republic, Republic of the Gambia, Ghana, Republic of Guinea, Islamic Republic of Iran, Republic of Kenya, State of Kuwait, Kingdom of Lesotho, Malawi, Republic of Mali, Kingdom of Morocco, Republic of Mozambique, Republic of Namibia, Republic of the Niger, Federal Republic of Nigeria, Sultanate of Oman, Republic of Uganda, State of Qatar, United Kingdom of Great Britain and Northern Ireland, Republic of Rwanda, Republic of Senegal, Republic of the Sudan, Republic of South Africa, United Republic of Tanzania, Republic of Chad, Togolese Republic and Republic of Zambia,

meeting in Geneva for a regional radiocommunication conference to revise the Regional Agreement relating to the planning of VHF/UHF broadcasting in the African Broadcasting Area and neighbouring countries, (Geneva, 1989) (GE89 Agreement), between 15 May 2006 and 16 June 2006, and working on the basis of its agenda,

noting Article 10 of the GE89 Agreement,

having considered the Agreement adopted by the Regional Radiocommunication Conference for the planning of the digital terrestrial broadcasting service in Region 1 (parts of Region 1 situated to the west of meridian 170° E and to the north of parallel 40° S, except the territory of Mongolia) and in the Islamic Republic of Iran, in the frequency bands 174-230 MHz and 470-862 MHz (Geneva, 2006) (RRC-06) (GE06 Agreement),

having also considered the need to harmonize the dates of entry into force and the dates of provisional application of the GE06 Agreement and the revised GE89 Agreement,

recognizing that the analogue Plan annexed to the GE06 Agreement contains the frequency assignments from the updated GE89 Plan as it appears in BR IFIC No. 2569 in the frequency bands 174-230 MHz and 470-862 MHz which are transferred to the the new analogue Plan annexed to the GE06 Agreement as a consequence of the abrogation of Annex 1 to the GE89 Agreement in the above-mentioned frequency bands,

have adopted, subject to approval by their competent authorities, a revision of the GE89 Agreement, as contained in this Protocol,

declare that, should a Member State from the African Broadcasting Area or a neighbouring country concerned make reservations¹ concerning the application of one or more of the provisions of the revised GE89 Agreement, no other Member State from the African Broadcasting Area or neighbouring country concerned shall be obliged to observe that provision or those provisions in its relations with that particular Member State.

¹ These reservations shall not relate to Article 2 of this Protocol.

ARTICLES

ARTICLE 1

Definitions

1 For the purposes of this Protocol, and unless otherwise specified, the following terms shall have the meanings defined below:

- 1.1 *Union*: The International Telecommunication Union.
- 1.2 *Secretary-General*: The Secretary-General of the *Union*.
- 1.3 *Constitution*: The Constitution of the *Union*.
- 1.4 *Convention*: The Convention of the *Union*.
- 1.5 *Planning Area*: The African Broadcasting Area as defined in Nos **5.10** to **5.13** of the Radio Regulations (Edition of 2004) and the following neighbouring countries: Saudi Arabia, Bahrain, United Arab Emirates, Iran (Islamic Republic of), Iraq, Kuwait, Oman, Qatar, Yemen (including those parts of Yemen that are situated outside of the African Broadcasting Area).
- 1.6 *GE89 Agreement*: The Regional Agreement relating to the planning of VHF/UHF television broadcasting in the African Broadcasting Area and neighbouring countries (Geneva, 1989).
- 1.7 *Conference*: The Regional Radiocommunication Conference for the revision of the *GE89 Agreement* (Geneva, 2006).
- 1.8 *Protocol*: This Protocol revising certain parts of the *GE89 Agreement*.

ARTICLE 2

Revision of certain parts of the GE89 Agreement

2.1 The provisions in Articles 3, 4 and 5 of the *GE89 Agreement* and the associated parts of its Annexes 1, 2, 3, 4 and 5 are abrogated insofar as their application in the frequency bands 174-230 MHz and 470-862 MHz is concerned.

ARTICLE 3

Entry into force and provisional application of the Protocol

- 3.1 The provisions of the *Protocol* shall apply provisionally as from 17 June 2006 at 0001 hours UTC.
- 3.2 The *Protocol* shall enter into force on 17 June 2007 at 0001 hours UTC.

ARTICLE 4

Approval of the Protocol

4.1 Any Member State from the *Planning Area* shall deposit its instrument of approval of the *Protocol*, as soon as possible, with the *Secretary-General*, who shall at once inform the other Member States of the *Union*, it being understood that for Member States which are not party to the *GE89 Agreement*, such approval shall also imply the approval of, or accession to, the *GE89 Agreement*. The *Secretary-General* is authorized to take, at any time, any appropriate action aimed at the timely implementation of the provisions of this paragraph.

ARTICLE 5

Accession to the Protocol

5.1 Any Member State in the *Planning Area* which is a party to the *GE89 Agreement* but not a signatory of the *Protocol*, shall deposit its instrument of accession to the latter, as soon as possible, with the *Secretary-General*, who shall at once inform the other Member States of the *Union*. The *Secretary-General* is authorized to take, at any time, any appropriate action aimed at the timely implementation of the provisions of this paragraph.

5.2 Accession to the *Protocol* shall be made without reservation and shall become effective on the date on which the instrument of accession is received by the *Secretary-General*.

ARTICLE 6

Approval of or accession to the GE89 Agreement

6.1 Any Member State from the *Planning Area* approving or acceding to the *GE89 Agreement* after the entry into force of the *Protocol* shall be considered as also approving or acceding to the *Protocol*.

ARTICLE 7

Amendment and revision of the Protocol

7.1 The *Protocol* shall not be amended or revised except by a competent regional radiocommunication conference of the Member States from the *Planning Area* convened in accordance with the procedures laid down in the *Constitution* and *Convention*.

IN WITNESS WHEREOF, the delegates of the Member States of the International Telecommunication Union from the Planning Area, named below, have, on behalf of their respective competent authorities, signed one copy of these Final Acts. In case of dispute, the French text shall prevail. This copy shall remain deposited in the archives of the Union. The Secretary-General shall forward one certified true copy to each Member State of the International Telecommunication Union from the Planning Area.

Done at Geneva, 16 June 2006

For the People's Democratic Republic of Algeria:

A. El Kader IBRIR
Mohamed MADOUR
Slimane DJEMATENE
A. El Malek HOUYOU

For the Republic of Angola:

Domingos Carlos OLIVEIRA
Octávio Domingos MACHADO

For the Kingdom of Saudi Arabia:

Habeeb K. AL-SHANKITI
Riyadh K. NAJM
Sulaiman AL-SAMNAN
Saud AL-RASHEED
Tariq M. AL-AMRI
Wesam A. SHEIKH

For the Republic of Botswana:

Cuthbert M. LEKAUKAU
Tshoganetso KEPALETSWE
Kingsley REETSANG
Boipuso KOBEDI
Thapelo MARUPING
Bathopi LUKE

For Burkina Faso:

Souleimane ZABRE
Issa C. Ignace SIMPORE

For the Republic of Burundi:

Joseph NSEGANE

For the Republic of Cameroon:

Guillaume Paul MOUTE
El Hadjar ABDOURAMANE
Hilaire MBEGA
Boniface TAKOU
Awallou MOUHAMADOU
Mue Desire NDONGO

For the Republic of Cape Verde:

David GOMES
Ana Cristina Monteiro LIMA

For the Republic of the Congo:

M. AKOUALA
Jean MAKOUNDOU

For the Republic of Côte d'Ivoire

Jean-Baptiste YAO KOUAKOU
Alexis KOFFI KOUMAN
Simon KOFFI
Kouame BINI

For the Republic of Djibouti:

Mourad Hassan BOGOREH

For the Arab Republic of Egypt:

Laila Hussein HAMDALLAH
Esmail ELGHUTTANY

For the United Arab Emirates:

Tariq A. AL-AWADHI
Naser AL-RASHEDI
Mustafa Hamouda ISHAG

For Spain:

Antonio FERNÁNDEZ-PANIAGUA
José Ramón CAMBLOR

For France:

Arnaud MIQUEL
François RANCY
Dominique Jean ROLFO

For the Gabonese Republic:

Jacques EDANE NKWELE
William MOUNGALA
Firmin NGOYE
Francis IMOUNGA
Jules LEGNONGO
Jean-Jacques MASSIMA-LANDJI

For the Republic of the Gambia:

Famara DAMPHA
Bai Baboucar SAN YANG

For Ghana:

Emmanuel OWUSU-ADANSI

For the Republic of Guinea:

Abdoul Aziz BARRY
Ibrahima Kenda SQUARE
Habib TALL

For the Islamic Republic of Iran:

Mahmoud KHOSRAVI
Abdolali ALI ASKARI
Taghi SHAFIEE
Hossein ABEDIAN

For the Republic of Kenya:

Stanley K. KIBE
Leo K. BORUETT
Daniel O. OBAM
Samuel O. OTIENO
Alfred M. AMBANI

For the State of Kuwait:

Nashi AL QAHTANI
Yousef AL-SAAD

For the Kingdom of Lesotho:

Sello LEJAKANE
Tlali MANOSA

For Malawi:

Mike KUNTIYA
Willis D. LIPANDE
Lloyd MOMBA

For the Republic of Mali:

Sékou COULIBALY
Nouhoum TRAORÉ
Bangaly-Fode TRAORÉ
I.B. MAIGA
A.A.M. CISSE
Mohamed AG HAMATI
Amadou DIAO

For the Kingdom of Morocco:

Mohammed LOULICHKI
Mohammed HAMMOUDA
Mustapha BESSI
Mohamed Mamoun SBAY
Abderrahim KHAFIJI
Nabila EL MERNISSI
Adil ARAMJA

For the Republic of Mozambique:

Hilário Lourino TAMELE
Martins S. LANGA

For the Republic of Namibia:

Barthos HARA-GAEB

For the Republic of Niger:

Abdou SALOU

For the Federal Republic of Nigeria:

Abayomi BOLARINWA
Edward Idris AMANA
Adamu ABDU
Muhammed UMARU

For the Sultanate of Oman:

Yousuf AL BALUSHI

For the Republic of Uganda:

Jack TURYAMWIJUKA
Jonas M. BANTULAKI

For the State of Qatar:

Yousuf A. AL-KUBAISI

**For the United Kingdom of Great Britain
and Northern Ireland:**

Michael GODDARD
Malcolm JOHNSON

For the Republic of Rwanda:

Abraham MAKUZA
Charles NAHAYO
Didier RUBAYIZA KAYITANA

For the Republic of Senegal:

Makhtar FALL
Mamadou FATY

For the Republic of Sudan:

Mohamed ABD ELMAGID

For the Republic of South Africa:

Nomacamasu Ingrid PONI

For the United Republic of Tanzania:

J.S. NKOMA
J.S. KILONGOLA
N. Habbi GUNYE
A.J. KISAKA
Johannes A.K. MAGESA
T.A. USI
Ali H. Ayub

For the Republic of Chad:

Mogalbaye GUIRDONA
Ali Idriss AHMED

For the Togolese Republic:

Massina PALOUKI
Gaba S. MAWOUKO
Lalle KANAKE

For the Republic of Zambia:

Kephas MASIYE
Kezias MWALE

Declarations and Reservations*

List of countries in alphabetical order giving the number(s) of their Declarations and Reservations:

Algeria (People's Democratic Republic of) (28)
Angola (Republic of) (10)
Botswana (Republic of) (3)
Burkina Faso (4)
Burundi (Republic of) (27)
Cameroon (Republic of) (26)
Cape Verde (Republic of) (25)
Côte d'Ivoire (Republic of) (16, 29)
France (1, 17)
Gabonese Republic (5)
Ghana (19)
Iran (Islamic Republic of) (15, 30)
Kenya (Republic of) (20)
Kuwait (State of) (13)
Malawi (21)
Mali (Republic of) (2)
Morocco (Kingdom of) (18, 31)
Mozambique (Republic of) (8)
Namibia (Republic of) (6)
Nigeria (Federal Republic of) (24)
Saudi Arabia (Kingdom of) (9)
Senegal (Republic of) (22)
South Africa (Republic of) (23)
Spain (17)
Tanzania (United Republic of) (14)
Togolese Republic (11)
United Arab Emirates (7)
United Kingdom of Great Britain and Northern Ireland (17)
Zimbabwe (Republic of) (12)

* *Note by the Secretary-General:* The texts of the Declarations and Reservations are shown in the chronological order of their deposit.

At the time of signing the Final Acts of the Regional Radiocommunication Conference for the revision of the Geneva 1989 Agreement (Geneva, 2006) (RRC-06-Rev.GE89), the undersigned delegates take note of the following Declarations and Reservations made by signatory delegations:

1

Original: French

For France:

In signing the Final Acts of the Regional Radiocommunication Conference for the revision of the Geneva 1989 Agreement in the frequency bands 174-230 MHz and 470-862 MHz (Geneva, 2006), the French delegation reserves for its Government the right to enter further declarations or reservations upon depositing its instruments of ratification of this Agreement.

More generally, the delegation of France reserves for its Government the right to take any measures it might deem necessary to safeguard its interests should any Member State of the Union fail to respect the provisions of these Final Acts or to comply with them or should reservations entered by other countries jeopardize the smooth operation of its telecommunication services.

2

Original: French

For the Republic of Mali:

In signing the Final Acts of the Regional Radiocommunication Conference for the revision of the Geneva 1989 Agreement (RRC-06-Rev.GE89), the delegation of the Republic of Mali reserves for its Government the right to take any measures it may deem appropriate to safeguard its interests should members fail to respect the provisions of these Final Acts and the annexes thereto, or should reservations entered by other countries cause harmful interference and jeopardize the smooth operation of its telecommunication services, in particular broadcasting.

3

Original: English

For the Republic of Botswana:

In signing the Final Acts of the revision of the Regional Administrative Conference for the planning of VHF/UHF Television Broadcasting in the African Broadcasting Area and Neighbouring Countries, Geneva 1989, the delegation of the Republic of Botswana declares that its administration will comply with the provisions of the Final Acts without prejudice to the Republic of Botswana's sovereign right to take any measures that the Government of Botswana deems necessary to safeguard its broadcasting services in the event of harmful interference caused to the said services by any Member of the Union failing to comply with the provisions of the Agreement as revised and adopted by this Conference.

The delegation of Botswana further declares that it reserves for its Government the right to make any statements or reservations when depositing its instruments of ratification of the Final Acts of the revision of the Regional Administrative Conference for the planning of VHF/UHF Television Broadcasting in the African Broadcasting Area and neighbouring countries, Geneva 1989.

4

Original: French

For Burkina Faso:

In signing the Final Acts of the Regional Radiocommunication Conference for the revision of the Geneva 1989 Agreements (RRC-06-Rev.GE89), within the framework of the planning of digital terrestrial broadcasting services in parts of Regions 1 and 3, in the frequency bands 174-230 MHz and 470-862 MHz, the delegation of Burkina Faso declares on behalf of the Government of its country that Burkina Faso reserves the right to take any measures it may deem appropriate to safeguard its own interests should members of the International Telecommunication Union (ITU) fail to observe the provisions of these Final Acts and the Annexes and/or Protocols thereto.

5

Original: French

For the Gabonese Republic:

In signing the Final Acts of the Regional Radiocommunication Conference for the revision of the Geneva 1989 Agreement (RRC-06-Rev.GE89), held in Geneva (Switzerland) from 15 May to 16 June 2006, the delegation of the Gabonese Republic reserves for its Government the right:

- 1 to take any necessary measures to safeguard its interests should any Member States fail, in any way, to respect the provisions of the Agreement adopted by this Regional Radiocommunication Conference or of the Radio Regulations of the International Telecommunication Union, or should reservations entered by other Member States during this Conference be such as to jeopardize the proper functioning of its telecommunication services;
- 2 to accept or not any financial consequences that might arise from such reservations;
- 3 to enter any additional reservations it may deem necessary until such time as the instruments of ratification are deposited.

6

Original: English

For the Republic of Namibia:

The Government of the Republic of Namibia, as a sovereign State, reserves the right to take any action it deems necessary to safeguard its interest in the event of Member States failing in any way to comply with the provisions of the Final Acts of the Regional Radiocommunication Conference for the revision of the Geneva 1989 Agreement for dealing with frequency allocations in the frequency bands 174-230 MHz and 470-862 MHz or should reservations by other countries jeopardize its broadcasting or telecommunication services.

7

Original: English

For the United Arab Emirates:

- 1 The United Arab Emirates position from the RRC-06 Conference related to revision to GE89 Agreement:

The Administration of the United Arab Emirates reserves its Government's right to take such steps as it may deem necessary to protect its national interests should Abu Musa Island be shown or claimed to be territory other than ours, and rejects any assignments entered by other than our Administration on this Island or any part of the United Arab Emirates territory as shown in the Final Acts, its Annexes or Protocols.

- 2 The United Arab Emirates position from the RRC-06 Conference related to revision to GE89 Agreement:

The Administration of the United Arab Emirates reserve the Government's right to take any steps it may consider necessary to safeguard the interests of the television broadcasting and other telecommunication services, should any Member fail to comply with the relevant provisions of this Agreement or through reservations or other measures that jeopardize the satisfactory operation of the television and telecommunication services of the United Arab Emirates.

8

Original: English

For the Republic of Mozambique:

The Government of the Republic of Mozambique, as a sovereign State, reserves the right to take any action it deems necessary to safeguard its interest in the event of Member States failing in any way to comply with the provisions of the Final Acts of the Regional Radiocommunication Conference for the revision of the GE89 Agreement for dealing with Frequency Allocations in the frequency bands 174-230 MHz and 470-862 MHz or should reservations by other countries jeopardize its broadcasting or telecommunication services.

9

Original: Arabic

For the Kingdom of Saudi Arabia:

In signing the Final Acts of the Regional Radiocommunication Conference for the revision of the Geneva 1989 Agreement (RRC-06-Rev.GE89), the delegation of the Kingdom of Saudi Arabia declares, on behalf of its Government, that it reserves its full right to take any action it deems necessary to safeguard its interests should any Member State of the International Telecommunication Union fail to comply with the provisions of the Final Acts of the Conference, or should the reservations and declarations made now or in the future by other Members jeopardize the satisfactory operation of the broadcasting service and telecommunication services in the Kingdom of Saudi Arabia.

10

Original: English

For the Republic of Angola:

The Government of the Republic of Angola, as a sovereign State, reserves the right to take any action it deems necessary to safeguard its interest in the event of Member States failing in any way to comply with the provisions of the Final Acts of the Regional Radiocommunication Conference for the revision of the GE89 Agreement for dealing with frequency allocations in the frequency bands 174-230 MHz and 470-862 MHz or should reservations by other countries jeopardize its broadcasting or telecommunication services.

11

Original: French

For the Togolese Republic:

In signing the Final Acts of the Regional Radiocommunication Conference RRC-06-Rev.GE89, the Togolese delegation declares as follows:

- the Togolese Republic shall not be bound by any provisions of the said Final Acts that might impair its sovereignty or be contrary to its international commitments or national legislation;
- neither shall it be bound vis-à-vis any State that is party to the said Final Acts, which fails to respect its commitments arising therefrom.

12

Original: English

For the Republic of Zimbabwe:

The Government of Zimbabwe commits itself to observe the provisions of this Agreement and reserves its sovereign right to take any measures it deems necessary to protect the development of Zimbabwe's broadcasting systems and services within its territory.

13

Original: English

For the State of Kuwait:

The delegation of the Administration of the State of Kuwait to the Regional Radiocommunication Conference (RRC-06-Rev.GE89) for the planning of the digital terrestrial broadcasting service, reserve the State of Kuwait's right to take any action it may deem necessary to safeguard the interests of the terrestrial broadcasting services and other telecommunication services in the State of Kuwait, should any Member fail to comply with the relevant provisions of these Final Acts of the Plan or through reservations made or other measures that jeopardize the satisfactory operation of the television and telecommunication services of the State of Kuwait.

14

Original: English

For the United Republic of Tanzania:

The Government of the United Republic of Tanzania, as a sovereign State, reserves the right to take any action it deems necessary to safeguard its interests in the event of any Contracting Member failing to comply with the provisions of the Final Acts of the Regional Radiocommunication Conference for the revision of the GE89 Agreement for use of the frequency bands 174-230 MHz and 470-862 MHz.

Further it reserves that the use of these bands by other terrestrial services by any administration can only be tolerated on a non-interference basis to the broadcasting services as provided in the Plan.

15

Original: English

For the Islamic Republic of Iran:

In the Name of God, the Compassionate, the Merciful.

In signing this Regional Agreement (RRC-06-Rev.GE89), the delegation of the Islamic Republic of Iran reserves for its Government the right:

- 1 to take such action as it may consider necessary to safeguard its interests:
 - a) should any Member fail in any way to comply with the provisions of this Agreement or its Annexes or the Protocol attached thereto;
 - b) should reservations by other Members jeopardize telecommunication services particularly broadcasting services of the Islamic Republic of Iran;
- 2 to make such additional reservations and counter-reservations as may be necessary up to the time of approval of the Agreement;
- 3 not to accept arbitration as a means of settling disputes with respect to all cases related to this Agreement or its Annexes or the Protocol attached thereto;
- 4 to reject any dispute that has been or may be raised at any time by any Member of the Agreement concerning the territorial integrity and national sovereignty of the Islamic Republic of Iran over its national territory as a whole.

16

Original: French

For the Republic of Côte d'Ivoire:

In signing the Final Acts of the Regional Radiocommunication Conference for the revision of the GE89 Agreement, the delegation of the Republic of Côte d'Ivoire declares that it reserves for its Government the right to approve the said Final Acts in accordance with its national laws and to take all necessary measures to safeguard its national interests, should countries which are parties to the Regional Agreement or merely signatories fail or refuse to comply with it.

17

*Original: English/Spanish/
French*

For Spain, France and the United Kingdom of Great Britain and Northern Ireland:

At the time of signing the Final Acts of the Regional Radiocommunication Conference for the revision of the Geneva 1989 Agreement, in the frequency bands 174-230 MHz and 470-862 MHz (Geneva, 2006), the delegations of the above-mentioned countries formally declare that they maintain the declarations and reservations made by their countries when signing the Final Acts of previous treaty-making conferences of the Union as if they were made in full at this Regional Radiocommunication Conference.

18

Original: French

For the Kingdom of Morocco:

In signing the Final Acts of the Regional Radiocommunication Conference for the revision of the GE89 Agreement, the delegation of the Kingdom of Morocco reserves for its Government the right to take any measure deemed necessary to safeguard its interests should a Member of the Union in any way fail to respect the provisions of the present Agreement.

19

Original: English

For Ghana:

In signing the final Agreement of the Regional Radiocommunication Conference (RRC-06-Rev.GE89), held in Geneva, Switzerland, from 15 May to 16 June 2006, the delegation of Ghana declares that:

- 1 The Government of Ghana reserves the right to take any such action it may consider necessary to safeguard its interests, should any member of the Union fail to comply with any of the provisions of the Constitution and the Convention of the International Telecommunication Union, the Radio Regulations of the ITU and the final Agreement of RRC-06-Rev.GE89.
- 2 the Government of Ghana further reserves the right to express reservations on any provisions of the final Agreement deemed to be incompatible with the Constitution, laws, international agreements and regulations of the country.

20

Original: English

For the Republic of Kenya:

In signing the Final Acts, the delegation of the Republic of Kenya to the Regional Radiocommunication Conference for the revision of the GE89 Agreement (RRC-06-Rev.GE89) reserves the right of the Government of the Republic of Kenya to take any action it deems necessary to safeguard its interests in the event of any Member country failing, in any way, to comply with the provisions, Resolutions or Recommendations contained in the Final Acts of this Conference or in the event of any reservations made by other countries jeopardizing the operation of radiocommunication services in Kenya.

The delegation of the Republic of Kenya further reserves the right of its Government to adhere to all or some of the provisions contained in the Final Acts of the said RRC-06-Rev.GE89.

21

Original: English

For Malawi:

In signing the Final Acts of the Regional Radiocommunication Conference for the revision of the 1989 Geneva Agreement (RRC-06-Rev.GE89), the Government of Malawi reserves its right to take any action it deems necessary in the event of any administration failing to comply with the provisions of this Agreement.

22

Original: French

For the Republic of Senegal:

In signing the Final Acts of the Regional Radiocommunication Conference for the revision of the GE89 Agreement (Geneva, 15 May – 16 June 2006), the delegation of the Republic of Senegal declares that it reserves for its Government the right to approve them in accordance with the domestic laws in force, and to take all necessary measures to safeguard its national interests should any countries fail or refuse to comply with them.

23

Original: English

For the Republic of South Africa:

The delegation of the Republic of South Africa, in signing the Final Acts of RRC-06-Rev.GE89, reserves its Government's right to take any such action as it may consider necessary:

- 1 to safeguard its interests should any Member of the Union, in any way, fail to comply with the provisions of the Constitution and Convention of the International Telecommunication Union, the Radio Regulations of the ITU and the Final Acts of the Regional Radiocommunication Conference (Geneva, 2006) and the Final Acts of the Regional Radiocommunication Conference for the revision of the GE89 Agreement (Geneva, 2006);
- 2 should any reservation by a Member of the Union, directly or indirectly, affect the operation of its broadcasting and/or other services;
- 3 to protect its broadcasting service and/or any other services, if any Contracting Member State to the Agreement contravenes any term or condition of the Agreement either in whole or in part;
- 4 to make any such additional declarations and reservations as may be necessary up to, and including, the time of ratification of the Final Acts of the Regional Radiocommunication Conference for the revision of the GE89 Agreement (RRC-06-Rev.GE89).

Furthermore

Considering that the terms of reference of RRC-06-Rev.GE89 are restricted to the frequency bands 174-230 MHz and 470-862 MHz, and considering further that the Republic of South Africa is one of a number of Southern African countries listed in No. 635 of the Radio Regulations, and makes extensive use of the frequency bands 230-238 MHz and 246-254 MHz for television broadcasting. The Republic of South Africa, therefore, declares that all provisions of the GE89 Regional Agreement relating to the frequency bands 230-238 MHz and 246-254 MHz shall be retained, and that it reserves its right to take any necessary actions to protect these Plan entries appearing in GE89.

24

Original: English

For the Federal Republic of Nigeria:

In signing the final Agreement of the Regional Radiocommunication Conference for the revision of the Geneva 1989 Agreement (RRC-06-Rev.GE89), held in Geneva, Switzerland, from 15 May to 16 June 2006, the delegation of the Administration of the Federal Republic of Nigeria declares as follows:

- 1 that, it acknowledges the need for the development of radiocommunications worldwide as a means of enhancing sustainable development in the interest of humanity and the environment;
- 2 that, however, the Administration of the Federal Republic of Nigeria reserves the right to take any such action it may consider necessary to safeguard its interests, in particular to protect its existing and planned broadcasting service, telecommunications systems and services, should any Member of the Union fail to comply with any of the provisions of the Constitution and the Convention of the International Telecommunication Union, the Radio Regulations of the Union and the final Agreement of RRC-06-Rev.GE89;
- 3 further, the Administration of the Federal Republic of Nigeria reserves the right to make additional declarations and reservations at the time of its notification to the ITU of its ratification of these Final Acts.

25

Original: French

For the Republic of Cape Verde:

In signing the Final Acts of the Regional Radiocommunication Conference for the revision of the GE89 Agreement (Geneva, 15 May – 16 June 2006), the delegation of the Republic of Cape Verde declares that it reserves for its Government the right to approve them in accordance with the national laws in force, and to take all necessary measures to safeguard its national interests should any countries fail or refuse to comply with them.

26

Original: French

For the Republic of Cameroon:

In signing the Final Acts of the Regional Radiocommunication Conference (RRC-06-Rev.GE89) (Geneva, 2006) for the revision of the Regional Agreement relating to the planning of VHF/UHF television broadcasting in the African Broadcasting Area and neighbouring countries (Geneva, 1989), the Cameroonian delegation, following the policy of its Government, which is to promote the development of the information society, universal access for all segments of the population and international cooperation, in a spirit of peace and mutual respect, undertakes to fulfil its commitments under these Final Acts.

It reserves for its Government the right to approve these Final Acts and to take any measures it may deem necessary to safeguard national interests should any Member fail in any way to respect the provisions of the Agreement and the associated Plans contained in these Final Acts.

27

Original: French

For the Republic of Burundi:

In signing the Final Acts of the Regional Radiocommunication Conference for the revision of the GE89 Agreement (RRC-06-Rev.GE89) the delegation of the Republic of Burundi reserves for its Government the right to take all necessary steps to protect and safeguard its interests, should Members of the Union fail to respect the provisions contained in the Final Acts of RRC-06-Rev.GE89 or should reservations entered by other members compromise the proper functioning of its radiocommunication services.

28

Original: French

For the People's Democratic Republic of Algeria:

The Algerian delegation contests the withdrawal, requested by the delegation of Morocco, of paragraph 6 of Document 25 of 8 June 2006 – Minutes of the second plenary meeting of the Regional Radiocommunication Conference for the revision of the Geneva 1989 Agreement (RRC-06-Rev.GE89).

The clarification requested from the Radiocommunication Bureau by the Algerian delegation, followed by the opinion given by ITU's Legal Adviser, related to a technical matter having to do with respect to the application of No. 5.229 of Article 5 of the Radio Regulations, which provides that in Morocco the band 162-174 MHz is also used for broadcasting.

The question was as to whether, according to the Radio Regulations, the said provision was applicable outside the internationally recognized borders.

The Algerian delegation wishes to make clear that this in no way constitutes a problem between the Algerian and Moroccan delegations.

It reiterates, moreover, that the minutes of a meeting must remain as such and reflect the content of the discussions held in plenary.

Additional Declarations and Reservations

29

Original: French

For the Republic of Côte d'Ivoire:

The delegation of the Republic of Côte d'Ivoire further declares that it reserves for its Government the right:

- to enter additional declarations or reservations at the time of depositing its instruments of ratification of this Agreement;
- to take any measures necessary to safeguard its national interests should any State that is party to the Agreement or merely a signatory neglect or fail to respect the provisions of these Final Acts or to comply with them, or should reservations entered by any other country jeopardize the smooth operation of its telecommunication services.

30

Original: English

For the Islamic Republic of Iran:

In the Name of God, the Compassionate, the Merciful.

In signing this Regional Agreement (RRC-06-Rev.GE89), the delegation of the Islamic Republic of Iran having noted the declaration made by one delegation as mentioned in Declaration 7, declares that Abu Musa Island in the Persian Gulf Region is an integral part of the territory of the Islamic Republic of Iran. It is, therefore, the sovereign right of the Islamic Republic of Iran to establish any telecommunication and broadcasting services, as deemed necessary, for its nationals with the above-mentioned Island. No reservation in this regard is therefore acceptable.

31

Original: French

For the Kingdom of Morocco:

The delegation of the Kingdom of Morocco wishes to refer to Declaration 28 and to the minutes of the second plenary meeting, of 3 June 2006, in which an issue was brought up that was not of a technical but rather of an eminently political nature, and hence outside the scope of our Conference.

It will be remembered that, during the meeting of Committee 4 on 20 May, the Radiocommunication Bureau found a station located in the south of Morocco to be not in conformity with the regulations in force, and that the Legal Adviser confirmed that incompatibility.

In a spirit of cooperation and to avoid the conference being drawn into a debate going beyond its area of competence, Morocco withdrew its request concerning the said station, in order to create the most favourable conditions for coordination with the Algerian delegation in regard to the other, non-problematic frequencies. This was appreciated by the Conference.

In so doing, it was Morocco's belief that, from the moment at which the reason having prompted the Algerian delegation's request for clarification had ceased to exist, the request itself and the response that was provided thereto ceased to be of relevance.

It is this logical assumption that explains our surprise upon seeing, in the minutes of 3 June that are now submitted for our approval, a transcription of the same request and same response.

Our surprise was that much greater inasmuch as the response to the request for clarification was not limited to the technical aspect or to relevant factors closely related thereto, but included political considerations going beyond the context of this Conference.

Still further, the minutes curiously said nothing in regard to the Moroccan delegation's reply contesting the inclusion of the above.

Indeed, during that same plenary meeting, the Moroccan delegation stated the following:

“With regard to the question of the entry of this channel in the reference situation, the Moroccan delegation wishes to make known to the Plenary that Morocco has studied the regulatory aspect of this matter with the Radiocommunication Bureau and with the Chairman of the Conference. Following that discussion, Morocco has agreed to withdraw its request relating to this entry, in order not to set a precedent at this Conference by entering in the plans of the new digital Plan a frequency which is not in conformity with the Radio Regulations. We therefore consider that this is not a technical matter and should not be addressed at this Conference, which should confine itself to technical and not political aspects”.

We thank the Secretariat for its promptness in publishing Corrigendum 1.

It is difficult to tolerate or accept the raising, under the pretext of technical incompatibility, of a political issue falling solely within the competence of the United Nations. The terms in which the Algerian delegation's request for clarification were couched were not technical but manifestly political, something that this Conference and ITU can and must not countenance or encourage.

In fact, at each regional radiocommunication conference we have become accustomed to seeing Algeria making declarations that reflect its views. Today it is seeking to take this Conference beyond its framework and objectives.

For all the above reasons, the delegation of the Kingdom of Morocco requests that the final paragraphs that are without relevance be purely and simply deleted.

RESOLUTIONS

RESOLUTION 1 (RRC-06-Rev.GE89)

Suspension of the Article 4 procedure of the Regional Agreement (Geneva, 1989) in the frequency bands 174-230 MHz and 470-862 MHz

The Regional Radiocommunication Conference for the revision of the GE89 Agreement (Geneva, 2006),

considering

- a)* the actions taken by the Regional Radiocommunication Conference for the planning of the digital terrestrial broadcasting service in Region 1 (parts of Region 1 situated to the west of meridian 170° E and to the north of parallel 40° S, except the territory of Mongolia) and in the Islamic Republic of Iran, in the frequency bands 174-230 MHz and 470-862 MHz (Geneva, 2006) (RRC-06), regarding the establishment of the reference situation for analogue television;
- b)* that the reference situation for the analogue television, established by RRC-06, for the territories governed by the Geneva 1989 (GE89) Agreement, coincides with the updated version of the GE89 Plan, as included in BR IFIC No. 2569 with a publication date 16 May 2006;
- c)* that the updated version of the GE89 Plan, as included in BR IFIC No. 2569, contains all frequency assignments successfully coordinated and communicated to the Radiocommunication Bureau by 15 March 2006, provided that the relevant information (e.g. TB3 notices or equivalent statements) has been provided to the Bureau by 21 April 2006;
- d)* the necessity for harmonizing the scopes of the GE89 Plan and the analogue television plan annexed to the Regional Agreement established by RRC-06,

recognizing

that the Regional Agreement established by RRC-06 contains a procedure to update the analogue television plan in the frequency bands 174-230 MHz and 470-862 MHz,

resolves to instruct the Director of the Radiocommunication Bureau

1 to cease processing of submissions received under Article 4 of the GE89 Agreement in the frequency bands 174-230 MHz and 470-862 MHz after the publication of BR IFIC No. 2569 of 16 May 2006, including the processing of submissions from administrations in these bands whose processing was not completed in time for inclusion in BR IFIC No. 2569;

2 to delete from databases of the Radiocommunication Bureau all entries related to pending frequency assignments received under Article 4 of the GE89 Agreement, in the frequency bands 174-230 MHz and 470-862 MHz, which did not result in a Plan entry for inclusion in the updated version of the GE89 Plan included in BR IFIC No. 2569.

RESOLUTION 2 (RRC-06-Rev.GE89)

Revision of certain Resolutions and Recommendations adopted by the Regional Administrative Conference for the Planning of VHF/UHF television broadcasting in the African Broadcasting Area and neighbouring countries (Geneva, 1989)

The Regional Radiocommunication Conference for the revision of the GE89 Agreement (Geneva, 2006),

considering

that certain Resolutions and Recommendations adopted by the Regional Administrative Conference for the Planning of VHF/UHF Television Broadcasting in the African Broadcasting Area and Neighbouring Countries (Geneva, 1989) (GE89) relate to the use of the frequency bands 174-230 MHz and 470-862 MHz, which are addressed by the provisions adopted by the Regional Radiocommunication Conference for the planning of the digital terrestrial broadcasting service in Region 1 (parts of Region 1 situated to the west of meridian 170° E and to the north of parallel 40° S, except the territory of Mongolia) and in the Islamic Republic of Iran, in the frequency bands 174-230 MHz and 470-862 MHz (Geneva, 2006) (RRC-06),

resolves

that the provisions in Resolutions 1, 2, 3, 4 and 5 and Recommendations 1, 2, 3 and 4 adopted by the GE89 Conference are abrogated as from 17 June 2006 at 0001 hours UTC insofar as their application in the frequency bands 174-230 MHz and 470-862 MHz is concerned.



* 2 9 3 1 7 *

Printed in Switzerland
Geneva, 2006
ISBN 92-61-11741-4