

COOPERATION AGREEMENT

between

the Ministry of Communications and Informatization of the Republic of Belarus

and

the International Telecommunication Union

to

assist the International Telecommunication Union (ITU) in performing measurements related to cases of harmful interference for which an administration is seeking the assistance of ITU

The Ministry of Communications and Informatization of the Republic of Belarus, represented by the Minister,

And

the International Telecommunication Union (hereinafter referred to as "ITU"), having its Headquarters at Place des Nations, Geneva, Switzerland, represented by the Secretary-General;

Hereinafter jointly referred to as the "Parties",

Recalling that the Constitution of ITU (No. 12) stipulates, in particular, that ITU shall "coordinate efforts to eliminate harmful interference between radio stations of different countries";

Recalling that the objectives of the ITU Radio Regulations (Nos. 0.7 and 0.8) are *inter alia* "to ensure the availability and protection from harmful interference of the frequencies provided for distress and safety purposes" and "to assist in the prevention and resolution of cases of harmful interference between the radio services of different administrations";

Recalling that the ITU Radio Regulations (No. 15.28) stipulate, in particular, that administrations undertake to act immediately when their attention is drawn to harmful interference on frequencies used for distress and safety and frequencies used for the safety and regularity of flight;

Recalling that the ITU Radio Regulations (No. 0.3) is founded on the principle that radio frequencies and any associated orbits, including the geostationary-satellite orbit, are limited natural resources to be used rationally, efficiently and economically;

Recalling that "to help ensure efficient and economical use of the radio-frequency spectrum and to help in the prompt elimination of harmful interference, administrations agree to continue the development of monitoring facilities and, to the extent practicable, to cooperate in the continued development of the international monitoring system" (No. 16.1 of the ITU Radio Regulations);

Recalling that "The international rights and obligations of administrations in respect of their own and other administrations' frequency assignments shall be derived from the recording of those assignments in the Master International Frequency Register..." (No. 8.1 of the ITU Radio Regulations);

Recalling that the Radiocommunication Bureau "shall be solely responsible for maintenance of the Master Register..." (No. 13.4 of the ITU Radio Regulations);

Recalling that "Administrations shall, as far as they consider practicable, conduct such monitoring as may be requested of them by other administrations or by the Bureau" (No. 16.5 of the ITU Radio Regulations);

Recalling that the ITU Radio Regulations (No. 17.2) contains provisions relating to the prohibition and prevention of "the unauthorized interception of radiocommunications not intended for general use of the public";

Recalling that the ITU Radio Regulations (No. 17.3) contains provisions relating to the prohibition and prevention of the divulgence and disclosure of the contents of "publication or any use whatever...obtained by the interception of the radiocommunications mentioned in No. 17.2" of the ITU Radio Regulations;

Noting the desire and the ability of concerned administrations to assist ITU, through monitoring stations located within their jurisdiction, in ensuring compliance with the provisions cited above;

Have agreed on the following:

1. Objective and scope

- 1.1** The objective of this Cooperation Agreement is to establish the framework for the assistance provided to ITU by the Republic of Belarus by means of its space monitoring earth station STANKOVO.
- 1.2** This Cooperation Agreement includes:
- A protocol dealing with assistance in the resolution of cases of harmful interference leading to a prompt resolution of the interference pursuant to Article 15 and No. 13.2 of the ITU Radio Regulations, as appropriate. This protocol is contained in Annex 1 to this Cooperation Agreement;
 - A protocol dealing with a request by ITU for the provision of monitoring data in cases of reported interference arising out of coordination issues (ITU Radio Regulations Article 11, No.11.41). This protocol is contained in Annex 2 to this Cooperation Agreement;
 - At the request of ITU, the provision of monitoring data concerning the spectrum used by satellites on the geostationary-satellite orbit (GSO) to ensure the compliance of the actual use with the information recorded by ITU in the MIFR or plans, as appropriate, with focus on the bringing into use and continuation of operation of GSO satellite frequency assignments;
 - A list of elements subject to collection in order to compare actual GSO occupation with data registered by ITU. This list is contained in Annex 2 to this Cooperation Agreement.




2. Definitions

| | |
|------------------|---|
| ITU | International Telecommunication Union represented, following signature of the Cooperation Agreement, by the Director of the Radiocommunication Bureau |
| Administration | Ministry of Communications and Informatization of the Republic of Belarus, state agency representing Republic of Belarus in ITU |
| Station | The monitoring earth station located in Stankovo, Dzerzhinsk district, Minsk region, Republic of Belarus |
| Operator | Belintersat, entity responsible for the work of the Station |
| Reference number | A unique task number, to be provided by the station carrying out the task at the request of ITU |

3. Procedures

3.1 Placing orders


- 3.1.1 ITU can place orders to the Operator via electronic mail in line with the tasks described in §1 and copy this order to the Administration;
- 3.1.2 The Operator will confirm to ITU via electronic mail the receipt of the order specifying the station reference number and the expected commencement and duration of the task;
- 3.1.3 The Operator will provide the cost estimation for the orders placed by ITU.

3.2 Execution of orders

- 3.2.1 For the execution of orders the following rules shall apply regarding priority:
- 3.2.1.1 Requests by ITU for measurements will be classed as priority 1 or 2 and within each class of priority will be processed in order of receipt;
- 3.2.1.2 Requests pertaining to cases of harmful interference, including cases involving distress and safety of life services and frequencies used for the safety and regularity of flights in the aeronautical service, will be classed as priority 1;
- 3.2.1.3 All other requests will be classed as priority 2;
- 3.2.1.4 The Operator will compile a final report and forward it directly to ITU.

3.3 Contact

- 3.3.1 Each Party will designate a focal point for coordination of all actions deemed necessary for due implementation of this Cooperation Agreement;
- 3.3.2 The initial contact with the Administration and the Operator will be established by ITU;
- 3.3.3 Regarding requests for assistance on cases of harmful interference, after initial contact in accordance with 3.3.2 and, subject to prior authorization by the Administration further information may be exchanged directly between the Operator and the satellite operator whose services are experiencing harmful interference.




4. Final provisions

4.1 Settlement of disputes

Any dispute arising from or relating to this Cooperation Agreement and its annexes shall be resolved amicably by direct negotiations between the Parties or by such other means as the Parties agree in writing.

4.2 Duration, termination and modification

- 4.2.1 This Cooperation Agreement is valid and effective for an indefinite period. It may, however, be terminated on the initiative of either Party by giving the other Party a written six-month prior notice.
- 4.2.2 In the event of termination, the necessary measures shall be taken by the Parties to ensure that such termination is not prejudicial to ongoing tasks undertaken within the framework of this Cooperation Agreement.
- 4.2.3 This Cooperation Agreement may only be modified by mutual written agreement signed by the Parties. Any such modification shall become an integral part of this Cooperation Agreement. Each Party will give full and sympathetic consideration to any proposal of modification made by the other Party.

5. Entry into force

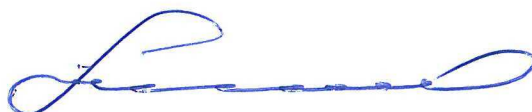
This Cooperation Agreement will enter into force on the date on which it is signed by both Parties.

6. Privileges, immunities and facilities

- 6.1 ITU is an intergovernmental organization and a United Nations specialized agency and, as such, enjoys the privileges, immunities and facilities derived from this status, as recognized by the applicable international agreements and by relevant national laws.
- 6.2 Nothing in or resulting from this Cooperation Agreement shall be deemed a waiver, express or implied, of any of the privileges, immunities or facilities of ITU.

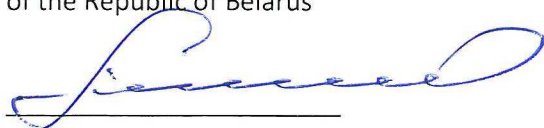
7. Entire Agreement: Annexes

- 7.1 This Cooperation Agreement, together with any and all of its annexes, represents the sole agreement between the Parties with respect to the subject matter hereof and supersedes all prior agreements, communications, negotiations or other arrangements, whether written or oral, between the Parties with respect to this subject matter.
- 7.2 Any and all annexes attached to this Cooperation Agreement shall form an integral part hereof. In the event of any conflict or discrepancy between this Cooperation Agreement, on the one hand, and any of its annexes, on the other hand, the terms and conditions of this Cooperation Agreement shall govern.



IN WITNESS WHEREOF, the Minister of Communications and Informatization of the Republic of Belarus and the Secretary-General of ITU, duly entitled to do so, have signed this Cooperation Agreement, in four (4) original copies, two (2) in the English and two (2) in the Russian languages, both languages being authentic. In the event that this Cooperation Agreement is signed on different dates, it will come into effect on the later date of signature.

For the Ministry of Communications
and Informatization
of the Republic of Belarus



Sergei Popkov
Minister

16/11/2016

Date

BANGKOK, THAILAND

Place

For the International
Telecommunication Union



Houlin Zhao
Secretary-General

16/11/2016

Date

Bangkok, THAILAND

Place



Annex 1**Protocol for reporting and handling cases of harmful interference (priority 1)**

For reporting and handling cases of harmful interference, full particulars will be provided using the information and procedures contained in Report ITU-R SM.2181* on the Use of Appendix 10 of the Radio Regulations including geolocation information.

* Report ITU-R SM.2181 is available online at: <http://www.itu.int/pub/R-REP-SM.2181>.



Annex 2

Protocol concerning compliance with the Master International Frequency Register and dealing with cases of interference arising out of coordination matters between two administrations (priority 2)

To check, at the request of ITU, on the actual use of frequency bands of involved satellites in interference issues during the coordination procedure.

Monitoring Request for involved GSO satellites in the coordination procedure

| Information on the satellite | | |
|------------------------------|---|--|
| 1. | Name of the satellite | |
| 2. | ITU name of the satellite | |
| 3. | ITU notice id (ntc_id) of the satellite | |
| 4. | Commercial name (if any) | |
| 5. | Filing administration | |
| 6. | Nominal orbital location | |
| 7. | Details concerning the service area | |
| 8. | Assignments recorded in the MIFR for | |
| 9. | Service area in the downlink of | |
| 10. | Additional information on the satellite | The satellite may not be at the precise nominal orbital location. It may operate within the window of longitudinal tolerance of +/-0.1°. Also, an administration may operate within +/-0.5° away from the nominal orbital location for temporary operational requirements under RR No.22.10. |

| Monitoring activity required | | |
|------------------------------|---------------------------------------|---|
| 1. | The frequency bands to be monitored | C, Ku and Ka band |
| 2. | Aspects of interest | Emissions from the satellite in any polarization |
| 3. | Time for which monitoring is required | After locating and identifying the satellite, monitoring is to be effected to assess the occupancy of the bands indicated above. The exercise may be repeated once more the next day. If no active transponder is found, even though the satellite is active, please contact BR for further instructions. |




Results are required in the following format

| Date | Time of monitoring | Orbital location observed | Frequency band/assignments | PolarizationH / V/ Circular |
|------|--------------------|---------------------------|----------------------------|-----------------------------|
| | | | | |
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| | | | | |
| | | | | |
| etc. | etc. | etc. | etc. | etc. |

Reporting of the interference arising out of coordination similar to reporting in Annex 1.

