



Radiocommunication Bureau (BR)

Circular Letter
CR/429

30 May 2018

To Administrations of Member States of the ITU

Subject: Minutes of the 77th meeting of the Radio Regulations Board

Pursuant to the provisions of Nos. 13.18 of the Radio Regulations and in accordance with §1.10 of Part C of the Rules of Procedure, please find attached the approved minutes of the 77th meeting of the Radio Regulations Board (19 – 23 March 2018).

These minutes were approved by the Members of the Radio Regulations Board by electronic means and are available on the RRB pages of the ITU web site.

A handwritten signature in black ink, appearing to read 'FRANCIS RANCY'.

François Rancy
Director

Annex: Minutes of the 77th meeting of the Radio Regulations Board

Distribution:

- Administrations of Member States of ITU
- Members of the Radio Regulations Board



Document RRB18-1/11-E
9 April 2018
Original: English

MINUTES*

OF THE

77th MEETING OF THE RADIO REGULATIONS BOARD

19-23 March 2018

Present:

Members, RRB

Mr M. BESSI, Chairman
Ms J.C. WILSON, Vice-Chairman
Mr N. AL HAMMADI, Mr D.Q. HOAN, Mr Y. ITO, Ms L. JEANTY,
Mr I. KHAIROV, Mr S.K. KIBE, Mr S. KOFFI, Mr A. MAGENTA,
Mr V. STRELETS, Mr R.L. TERÁN

Executive Secretary, RRB

Mr F. RANCY, Director, BR

Précis-Writers

Mr T. ELDRIDGE and Ms S. MUTTI

Also present:

Mr A. VALLET, Chief, SSD
Mr M. SAKAMOTO, Head, SSD/SSC
Mr J. WANG, Head, SSD/SNP
Mr C.C. LOO, Head, SSD/SPR
Mr N. VASSILIEV, Chief, TSD
Mr B. BA, Head, TSD/TPR
Ms I. GHAZI, Head, TSD/BCD
Mr W. IJEH, BR Administrator
Mr D. BOTHA, SGD
Ms K. GOZAL, Administrative Secretary

* The minutes of the meeting reflect the detailed and comprehensive consideration by the members of the Radio Regulations Board of the items that were under consideration on the agenda of the 77th meeting of the Board. The official decisions of the 77th meeting of the Radio Regulations Board can be found in Document RRB18-1/10.

| Subjects discussed | Documents |
|---|--|
| 1 Opening of the meeting | - |
| 2 Report by the Director of BR | RRB18-1/2(Rev.1) + Add.1(Rev.1)-8 + Add.2(Add.1) |
| 3 Rules of procedure | RRB18-1/1 (RRB16-2/3(Rev.7)) |
| 4 Submission by the Administration of the United Kingdom requesting that the notification and bringing into use of the frequency assignments to the AM-SAT AF3 BSS MOD-A satellite network be processed | RRB18-1/4 |
| 5 Submission by the Administration of Korea (Republic of) requesting an extension of the regulatory deadline for the bringing into use of frequency assignments to the KOREASAT-116.0E satellite network in the 20.2-21.2 GHz and 30.0-31.0 GHz frequency bands | RRB18-1/6 |
| 6 Submission by the Administration of Papua New Guinea requesting an extension of the regulatory deadline for bringing into use the frequency assignments 20 200-21 200 and 30 000-31 000 MHz to the NEW DAWN 33 satellite network | RRB18-1/8 |
| 7 Submission by the Administration of the Netherlands on the resubmission of a notice for the notification under No. 11.46 of the NSS-BSS 95E TTC satellite network | RRB18-1/5 + Add.1 |
| 8 IRIDIUM satellite system (HIBLEO-2) interference to the radio astronomy service | RRB18-1/3, RRB18-1/9 |
| 9 Submission by the Administration of Germany on the application of Article 48 of the ITU Constitution to the recorded frequency assignments to the INSAT-2(48), INSAT-2M(48), INSAT-2T(48) and INSAT-EK48R satellite networks at 48°E | RRB18-1/7, RRB18-1/DELAYED/1, RRB18-1/DELAYED/2 |
| 10 Consideration of issues related to Resolution 80 (Rev.WRC-07) | RRB18-1/INFO/1 |
| 11 RRB participation in the 2018 plenipotentiary conference and the 2018 World Radiocommunication Seminar | - |
| 12 Confirmation of the dates of the next meeting and indicative dates for subsequent meetings | - |
| 13 Approval of the summary of decisions | RRB18-1/10 |
| 14 Closure of the meeting | - |

1 Opening of the meeting

1.1 The **Chairman** opened the meeting at 1400 hours on Monday, 19 March 2018 and welcomed participants.

1.2 The **Director**, speaking on his own behalf and that of the Secretary-General, also welcomed participants.

1.3 The **Chairman** drew attention to two late submissions which had been received prior to the start of the present meeting and related to items already on the Board's agenda. He proposed that they be taken into consideration for information purposes under the agenda item to which they related.

1.4 It was so **agreed**.

2 Report by the Director of BR (Document RRB18-1/2(Rev.1), Addenda 1(Rev.1)-8 and Addendum 1 to Addendum 2)

2.1 The **Director** introduced his customary report in Document RRB18-1/2(Rev.1)*, drawing attention to Annex 1 listing the actions taken by the Bureau arising from the decisions of the Board's 76th meeting.

2.2 **Mr Strelets** noted that, for the second consecutive meeting, Board members had received a large volume of highly analytical documents as part of the Director's report. He thanked the Bureau for that effort, which reflected the growing cooperation between the Board and the Bureau and the relationship of trust they had established.

2.3 The **Chairman** agreed that the Director's report was rich in content, confirming the spirit of cooperation between the Board and the Bureau. Some parts of the report had been drawn up in response to questions raised by the Board, while others were provided for information and consultation. He echoed the previous speaker's thanks to the Bureau.

Processing of filings for terrestrial and space systems (§2 of Document RRB18-1/2(Rev.1))

2.4 **Mr Vallet (Chief SSD)**, referring to filings for space systems, said that Annex 3 to Document RRB18-1/2(Rev.1), for which an update to include February 2018 was available, provided the usual statistics on processing times and number of networks published in the previous 15 months, whereas Annex 4 innovated, providing the same information as Annex 3 but for the previous six years or so, with a view to indicating long-term trends. He drew attention to Table 2 of Annex 3 and Table 2 of Annex 4, on coordination requests published (CR/C) for satellite networks, which showed that the Bureau had almost never met the regulatory four-month deadline; while that deadline might have been appropriate in the past, it had become increasingly difficult to meet as satellite networks grew in complexity. The Bureau had taken three measures to reduce processing delays. First, following the decision of Council-17 to increase the number of SSD staff, it was currently examining the list of candidates for the three extra positions opened. Second, pursuant to Resolution 908 (Rev.WRC-15), on electronic submission of satellite network filings, the previous week it had published Circular Letter CR/427 informing administrations that it had released a beta version of the e-submissions portal on a trial basis. Administrations would be given until the end of May 2018 to test the portal, which would be finalized in the light of their comments before being introduced on a mandatory basis on 1 August 2018 if the Board so decided at its 78th meeting. He recalled in that respect that Resolution 908 (Rev.WRC-15) was a work in progress intended to help the Bureau rationalize its internal processes regarding space services, and thanked the Administration of Japan for the voluntary contribution it had made to the resolution's implementation. The third measure taken by the Bureau related to the algorithms of the examination software, which were being reviewed to take into account changes in the regulatory provisions related to space services.

* The revision concerns only the English text.

2.5 **Mr Strelets** expressed concern at the increasingly long processing times, which, as shown for example by the monthly statistics provided in Table 3 of Annex 4 (Processing of satellite networks submitted under paragraph 4.1.3/4.2.6 of Article 4 of Appendices 30/30A), were in some cases almost twice as long as the regulatory period. It appeared that no resolute action was being taken to solve the problem. For example, although the Council had decided to expand the number of staff in 2017, the new staff members would only start work in 2019. The Board needed to reflect with the Bureau on possible solutions to the problem, which also created difficulties for operators in terms of currency controls and spending decisions, and for the Board in terms of unmet promises to reduce processing times.

2.6 **Ms Wilson** interpreted the monthly statistics provided in Table 3 differently: the fact that, between 2014 and 2017, the number of filings had remained the same, the treatment time had more than doubled, the number of networks had more than doubled, and the number of publications had dropped, was indicative of the nature of the filings. In addition, the treatment time had risen more steeply after 2016, perhaps as a consequence of the decisions made at WRC-15.

2.7 The **Director** explained that the filings the Bureau received were not equivalent and indeed differed in complexity. The problem of processing delays had to be considered globally, not only on a month-by-month basis. In addition, networks were increasingly complex. For example, the filings for six networks received from one administration in October 2017 represented more assignments than the Bureau usually processed in an entire year. Regarding the time taken to recruit three extra staff members, the Bureau follows the recruitment procedures applied at ITU, which were adopted by the Council and aligned with United Nations recruitment procedures. That being said, the positions would likely be filled in early September 2018.

2.8 **Mr Hoan** shared Mr Strelets's concern about the growing length of processing times and the Director's understanding of the issue. While he appreciated the Council decision to recruit three more engineers, he did not believe that the increase in manpower would suffice if the Bureau's internal procedures were not improved.

2.9 **Mr Kibe**, while understanding the concern expressed by Mr Strelets, pointed out that the issues raised in §2 of Document RRB18-1/2(Rev.1) were well known. Council-17 had, after all, approved three new posts. The Director had done what he could in the circumstances. He should be encouraged to continue along those lines, pending further guidance from Council-18.

2.10 **Mr Khairov** thanked the Bureau for the data and in-depth analyses provided. He, too, was concerned about lengthier processing times in the face of increasingly complex networks and filings, and to that effect made two proposals. The first was to ask Council-18 to approve a further increase in the Bureau's staff. The second was to ask the Bureau to prepare an analytical report, for the 78th Board meeting, on the main reasons individual filings took more time to process than in the past. Those reasons were clear when it came to non-geostationary systems, and it would be interesting to have the same depth of analysis on other networks.

2.11 The **Director** assured the Board that the Bureau was fully aware of the problem and was sparing no effort to solve it. The fact that the number of coordination requests under treatment had fallen steadily up until late 2017 was indicative of the hard work being put in by the Bureau's staff. As the graphs in Annex 3 to Document RRB18-1/2(Rev.1) showed, the number of filings processed rose and fell over time. After following a downwards trend throughout 2017, the number had risen towards the end of the year because of the six networks mentioned earlier. In addition, he stressed that, while he had no objection to asking for more staff, the Bureau was not in a position to control the input it received; it was to that aspect that thought should be given, in particular the perverse impact of the cost-recovery structure: the processing of a filing was currently charged by the ITU the same whether the filing included one hundred or one million assignments. The problem was that modern technology allowed hundreds of thousands of assignments to be added to a single notification with a few clicks. Implementation of the e-submissions portal under Resolution 908 (Rev.WRC-15) would accelerate that process; it provided for no brake in terms of cost recovery. There was a risk

that the capacity of the Bureau to process filings and the almost infinite capacity of States to produce assignments would diverge. As requested by Mr Khairov, the Bureau would provide more information on those and other considerations in a future report.

2.12 **Mr Vallet (Chief SSD)**, referring to the information provided on submissions under Article 4 of Appendices 30/30A, said that the statistics showed that the number of publications in February 2018 was three or four times the number published on average. The reason was simple: the four networks notified in late 2017 had created software problems that had prompted the Bureau to improve the software, and those improvements had been made between November and January. Since February 2018, the Bureau had therefore been in a position to publish many more networks and the number of networks under treatment had fallen, to the lowest level in over a year. Processing delays for coordination requests, for their part, had arisen almost exclusively as a result of the six networks notified in late 2017. In order to avoid a recurrence of that situation, the Bureau proposed that, before it started processing similar notifications, it should contact the administration concerned and ask it to reduce the submission to a more reasonable level. The Bureau was currently analysing what constituted a “more reasonable level” and planned to introduce that limit as a modification to Resolution 908 (Rev.WRC-15). In other words, it would adopt an interface that would not allow administrations to make unreasonable submissions. If the Board so wished, the Bureau would draw up a detailed document on the limits, and the measures it planned to take, for the Board’s 78th meeting.

2.13 He went on to note that adapting the software in order to process particularly large submissions took time and was perhaps not the best solution in the long term. Moreover, the Bureau also had a limited capacity to process the results. Interestingly, the six networks submitted in late 2017 had generated many unfavourable findings; as a result, additional groups of frequencies had had to be created for sorting favourable from unfavourable findings, a process that also took time. Indeed, in the Bureau’s experience, the bigger the network, the greater the number of unfavourable findings it gave rise to; more compact networks resulted in a larger number of favourable findings.

2.14 The **Chairman**, replying to questions from **Ms Jeanty** and **Ms Wilson**, said that the four-month publication deadline had been adopted at a time when networks were less complex; the time had perhaps come for the WRC to consider lengthening that deadline.

2.15 The **Director** did not believe that it would be a good idea to change the four-month deadline for the publication of coordination requests, as doing so would leave administrations planning to deploy satellite systems facing uncertainty.

2.16 **Mr Strelets** did not think that the Council would be in a position to help (it did not consider technical issues) or that it would be easy to convince administrations to reduce the number of assignments per filing. He agreed with the Director that administrations needed the certainty afforded by timely publication. The only way to improve the current situation was to enhance the Bureau’s efficiency, perhaps for example by changing its internal algorithms, having staff work in two shifts or breaking down complex notifications. He was gratified that the Administration of Japan had made a voluntary contribution to implementation of Resolution 908 (Rev.WRC-15).

2.17 **Mr Ito** said that the issue was not one of processing delays but rather of administrations’ behaviour. While administrations were sovereign, if some of them made exceedingly complicated filings, the Bureau would soon be saturated. He proposed two solutions: open discussions with the administrations concerned on the problems their filings created; and a description of the situation in the Board’s report under Resolution 80 (Rev.WRC-07), with a view to encouraging cooperation among administrations and averting artificial difficulties.

2.18 The **Chairman** asked whether the rule of procedure to be adopted on the e-submissions portal would contain measures aimed at resolving the problems posed by complex networks, and on what regulatory basis the Bureau could impose a limited number of filings.

2.19 The **Director** said that the Bureau should decline to process overly complex networks rather than trying to improve its software to be able to process them and cause further delays in doing so. He pointed out that RR No. 4.1 stipulated that administrations should endeavour to limit the number of frequencies. One approach would be to have the rule of procedure stipulate a limit of, for example, 100 000 assignments per satellite-network filing.

2.20 **Mr Vallet (Chief SSD)** pointed out that the Bureau had received nine times more assignments in 2016 than in 2005. In response to Mr Strelets's comments, he pointed to one significant difference between a notification concerning 10 networks and one concerning one large network: the former would not require a software adaptation, and yet the administration concerned would pay for 10 filings; the latter would require a software adaptation, but the administration concerned would pay for only one filing. In response to Mr Ito's comment, he said that he did not believe administrations acted deliberately to hamper the Bureau's work and that they would react positively if their attention was drawn to the problems caused, in particular having regard to No. 4.1. The Bureau did not wish to impose constraints, but rather to suggest ways to reduce filings. A similar system was already in operation for planned bands, with most administrations agreeing to reduce networks that risked hampering the Bureau's work.

2.21 **Mr Al Hammadi** said that the Bureau's genuine efforts to address processing delays were not matched by equal efforts on the part of administrations, whose acts led to backlogs. Administrations had to be informed about the reasons for the backlogs. The issue had to be addressed among Member States, and he therefore strongly supported the proposal to bring it to the attention of Council-18, perhaps on the basis of a Board recommendation or request for guidance. He welcomed the Bureau's proposal to provide more information at the Board's 78th meeting.

2.22 **Mr Magenta**, referring to comments by Mr Strelets, the Director, Mr Ito and Mr Al Hammadi, concluded that the real issue was cost recovery as it related to satellite complexity. He agreed with Mr Ito that the Bureau should talk with administrations.

2.23 **Ms Wilson** expressed concern about the Board talking to administrations regarding the complexity of the networks they filed. The Bureau had to keep pace with technological advances, rather than endeavour to constrain them within the limits of its resources. She agreed that the real issue was cost recovery. Administrations making complex filings could reasonably be expected to bear the cost. It would be more productive to discuss a solution along those lines than to ask administrations to limit the nature of their filings. Breaking down networks might be advisable from the point of view of cost recovery, but it was not good for the networks themselves.

2.24 In response to a question from **Ms Jeanty**, **Mr Vallet (Chief SSD)** said that dialogue with administrations would not be incorporated into the rule of procedure to be adopted on Resolution 908 (Rev.WRC-15). He pointed out that not all satellite networks were complex.

2.25 **Mr Strelets** agreed with Ms Wilson that it would be difficult for administrations to adapt the complexity of their filings. The notification of six complex networks in late 2017 had not been in contravention of the Radio Regulations; rather, the Bureau had had to find other ways to meet the regulatory deadlines.

2.26 The **Chairman** concluded that an effort should be made to communicate with administrations. The ongoing review of cost recovery might also yield a solution to the problem. The Bureau could inform administrations in a circular letter that they should make an effort to break down large filings in order to facilitate the Bureau's work, recalling that complex networks gave rise to a large number of unfavourable findings.

2.27 **Mr Koffi** agreed with the Chairman's conclusions, in particular taking into consideration RR No. 4.1.

2.28 In response to queries from **Mr Al Hammadi** and **Mr Strelets**, the **Chairman** said that it was the Bureau's role to provide the Council with the data required for its review of cost-recovery scales, emphasizing that cost recovery could serve as a lever for addressing processing delays.

2.29 **Mr Magenta** agreed that the Director should be asked to present the problem to the Council.

2.30 The **Director** said that it was too late to prepare contributions to Council-18. Moreover, the Council was currently considering cost recovery for non-geostationary satellites. It would be risky to submit problems relating to geostationary systems: at best, the Council would create a working group that would submit a solution in 2019; there was the added risk of undermining any solution for non-geostationary satellites. He recommended that the Board and the Bureau continue working to solve the problem on the basis of the rules of procedure, circular letters and dialogue with administrations, and consider bringing the matter to the attention of Council-19.

2.31 **Ms Wilson** agreed. Raising the issue of geostationary satellite network filings could derail potential progress on non-geostationary satellite network filings. Moreover, the Board might benefit from seeing the impact of the Council's decision on non-geostationary satellite network filings.

2.32 **Mr Vassiliev (Chief TSD)**, commenting briefly on those parts of the Director's report relating to filings for terrestrial systems, said that Document RRB18-1/2(Rev.1) contained no graphs on the numbers of terrestrial systems processed because those numbers were quite stable and the graphs would therefore show a horizontal line.

2.33 Responding to a query by **Mr Strelets** regarding the 5 045 active cases in the processing of FXM submissions under plan modification procedures (Table 3 in Annex 2 to Document RRB18-1/2(Rev.1)), he said that those active cases are related to the packages received in 2016 from two administrations relating to the GE-06 Agreement. Since the GE-06 List modification procedure could take up to two years, given the number of administrations involved, these cases are still in coordination and shown as active ones.

2.34 The **Chairman** suggested that the Board conclude on §2 of the Director's report as follows:

"In relation to §2 of Document RRB18-1/2 the Board noted with concern the continued delays in the processing time for certain types of filings and appreciated the measures taken to reduce the processing time of filings in order for them to remain within the regulatory limits. The Board encouraged the Bureau to make all efforts to improve its efficiency in processing the filings and decided to instruct the Director to report in greater detail on the exact reasons for the delays of particular cases. The Board also instructed the Bureau to consult with administrations on the significant impact on the processing time for complex and extensive satellite network filings, and to invite them to comply with the provisions of RR No. 4.1 when they notify the frequency requirements for their satellite networks."

2.35 It was so agreed.

Implementation of cost recovery for satellite network filings (§3 of Document RRB18-1/2(Rev.1))

2.36 Regarding the implementation of cost recovery for satellite network filings (late payments), **Mr Vallet (Chief SSD)** drew attention to Annex 5 of the Director's report and noted that, although several networks had paid late, all had paid before the Bureau meeting that would have cancelled them. Thus, in accordance with the relevant rule of procedure, none had been cancelled.

Implementation of cost recovery for non-GSO satellite network filings (Documents RRB18-1/2(Add.2) and (Add.2)(Add.1))

2.37 **Mr Vallet (Chief SSD)** said that further to the Board's discussions on cost recovery for non-GSO networks at its 76th meeting, the Bureau had prepared two documents. Introducing Addendum 2 to Document RRB18-1/2(Rev.1), which had also been submitted to the Council Working Group on Financial and Human Resources, he drew particular attention to the conclusion in §4 that, for systems using non-homogeneous satellite orbits where the different subsets of orbital characteristics would clearly be mutually exclusive, there was nothing to stop the Council from separately charging each mutually exclusive configuration from a cost recovery point of view while keeping the regulatory unity of the filing, as decided by WRC-15. He presented the three procedures, A to C, proposed by

the Bureau in §6, which were not mutually exclusive. He went on to introduce Addendum 1 to Addendum 2 to Document RRB18-1/2(Rev.1), containing the responses received from ITU-R Working Parties 4A and 4C regarding cost recovery for non-GSO networks. Working Party 4C had not had time to analyse the procedures proposed by the Bureau, whereas Working Party 4A had commented on them in some depth, concluding that while Procedure A offered benefits that could usefully be studied by Council-18, procedures B and C required further study. The Board was invited to consider the documents before it, in particular the procedures proposed therein; any comments it made would be forwarded to the Council.

2.38 **Mr Strelets** welcomed the very interesting proposals put forward by the Bureau, noting that procedure A appeared to be supported by the ITU-R working parties and could conceivably be finalized and implemented by Council-18. He therefore asked the Bureau if it thought it would be more expedient to remain with procedure A, and improve the situation regarding cost recovery for non-GSO networks straight away, or for Council-18 to set up an expert group to study the matter urgently, as proposed by Working Party 4A.

2.39 **Mr Vallet (Chief SSD)** recalled that, for the purposes of the study it had carried out, Council-05 had placed a huge burden on the Bureau's engineers by requiring them to produce numerous statistics, which ultimately it had not used as the basis for the decision it had finally taken. The Bureau would not want to risk repeating that scenario if the Council set up another expert group, but would prefer it to examine the proposals put forward by the Bureau.

2.40 **Mr Ito** said that the Board had already clearly identified the problem regarding the submission of increasingly complex non-GSO systems and a possible solution, i.e. that the problem could be addressed most effectively by reviewing the fees charged under cost recovery rather than by developing extremely powerful software. Passing that clear message on to the Council, the Board should now leave it up to the Council to decide which procedure could best be applied.

2.41 **Mr Khairov** noted, like Mr Vallet (Chief SSD), that if the Council were to set up an expert group to study the matter, it would likely not be resolved for some time. The most expedient approach would be to recommend that the Council implement procedure A, which hewed closest to the decisions taken by the WRC.

2.42 **Mr Strelets** said that, to his understanding, procedure A met with the approval of both the Bureau and the ITU-R working parties. It was transparent, clear, in full compliance with all applicable regulatory provisions, and should therefore be recommended to the Council. Nevertheless, would its implementation suffice to resolve the problems regarding non-GSO networks?

2.43 The **Director** said that Procedure A alone would not suffice. The best approach would be to employ both Procedures A and B, perhaps in the manner suggested by Working Party 4A, recognizing that the window of opportunity for resolving the matter was open, but would be closed by the time Council-19 took place.

2.44 The **Chairman** said that the Board must be careful to limit itself to its mandate, namely the regulatory issues involved, and could therefore recommend Procedure A in so far as it respected the regulatory integrity of filings. Consideration of Procedure B did not fall within the Board's competence.

2.45 **Ms Wilson**, having endorsed the Chairman's comments, noted that there was nothing to prevent the Council from adopting an interim decision at its 2018 session, for example by taking immediate measures while also possibly referring the matter to an expert group to look at in greater depth.

2.46 **Mr Vallet (Chief SSD)** recalled that Council Decision 482 required the Bureau to report on the decision's implementation to each Council session, so there was nothing to prevent the Bureau from asking the Council to look into, for example, Procedure C with a view to the future.

2.47 **Ms Jeanty** endorsed the Chairman's comments. It was essential to take steps immediately, which might best be done by implementing Procedure A as of Council-18. Further measures could always be looked into subsequently, if the introduction of procedure A proved to be insufficient to solve matters.

2.48 The **Chairman** suggested that the Board conclude as follows:

“Concerning the issue of cost recovery addressed in Documents RRB18-1/2(Add.2) and RRB18-1/2(Add.2)(Add.1), the Board recognised the potential impact that the cost recovery scheme may have on the solution to the problem of the delay in the treatment of non-GSO satellite network filings. The Board, therefore, instructed the Bureau to report to Council 2018 the urgency for a decision on this issue. The Board also took note of the three procedures proposed by the Bureau, and considered that Procedure A would maintain the regulatory integrity of the filing. The other two procedures do not deal with regulatory aspects on which the opinion of the Board would be required.”

2.49 It was so **agreed**.

Reports of harmful interference and/or infringements of the Radio Regulations (Article 15) (§4 of Document RRB18-1/2(Rev.1))

2.50 Regarding §4 of Document RRB18-1/2(Rev.1), on reports of harmful interference and/or infringements of the Radio Regulations (Article 15), **Mr Vassiliev (Chief TSD)** noted with respect to §4.1 that 417 cases had been reported to BR and had been handled normally within 48 hours.

Harmful interference to broadcasting stations in the VHF/UHF bands between Italy and its neighbouring countries (§4.2 of Document RRB18-1/2(Rev.1) and Addenda 6-8)

2.51 Regarding §4.2 of Document RRB18-1/2(Rev.1), **Mr Vassiliev (Chief TSD)** said that Switzerland had submitted 69 reports of harmful interference caused by Italian stations to Switzerland's sound broadcasting services. Croatia, in a letter dated 20 February 2018 presented in Addendum 6 to Document RRB18-1/2(Rev.1), reported that, despite improvements regarding interference caused by Italy to Croatia's TV services, Italy continued to use channels allocated to Croatia in the GE-06 Agreement. There had been no significant improvements with regard to sound broadcasting. Moreover, Croatia noted that the road map put forward by Italy did not accurately reflect the situation regarding the corrective measures being taken. In conclusion, Croatia said that no bilateral meetings had been convened, and that Italy had provided no feedback on the road map to resolve the overall FM interference problem or specific interference cases from Croatia's priority lists; on establishing a timeline and action plan for the T-DAB and FM national Plans; or on any updates to Italy's broadcasting law. Malta, for its part, in a letter dated 16 February 2018 reproduced in Addendum 7 to Document RRB18-1/2(Rev.1), reported in regard to the VHF band that no improvements had been noted with respect to interference to its GE-84 registered frequencies, whereas, in regard to the UHF band, it was experiencing no interference to its terrestrial broadcasting services using its GE-06 frequencies.

2.52 The **Chairman** noted that there appeared to have been some improvement regarding TV broadcasting further to the recommendations made previously by the Board.

2.53 Turning to the road map of the action taken by the Administration of Italy to solve cases of harmful interference with neighbouring countries (Addendum 8 to Document RRB18-1/2(Rev.1)), **Mr Vassiliev (Chief TSD)** said that, for the second time running, Italy's submission had arrived too late for proper analysis by the Board or the Bureau. He further observed that the road map itself used broadcasting programme names rather than station names, making it difficult to link them to entries in the BR database and reports from other administrations. In the document, Italy informed the Bureau that actions taken following the multilateral meeting held in October 2017 with the Bureau, the Administration of Italy and its neighbouring administrations, to solve priority problems in anticipation of decisions to use VHF Band III for T-DAB, had proved effective in the case of France, Switzerland and Malta, which had agreed to that approach. The situation was more complex in respect of Croatia and Slovenia. The road map itself reported on the situation country by country. The Bureau

had compared it with the previous road map, dated 19 October 2017, and found that, in the case of France, visible progress had been made in respect of “Radio Monte Carlo”. In the case of Malta, of the original 29 Italian FM stations causing interference only nine remained, and two of those were on the list of priorities. There had been no changes in the case of Monaco. In the case of Switzerland, roughly one dozen cases had been resolved. The Bureau assumed that one assignment that had disappeared from the list established by Italy had also been resolved. In the case of Croatia, one assignment had been resolved but several new assignments had been identified. Regarding Slovenia, the Administration of Italy reported that, after the multilateral meeting of October 2017, it had received interference reports which it had found difficult to analyse because the measurement locations had changed. In addition, it had measured the field strengths of some stations the Administration of Slovenia, e.g. KUK on 87.8 MHz, and then calculated the field strengths of the same station based on its radiated power values published in the BRIFIC. It had been found that calculated field strength values were considerably lower than the measured values, according to simulations it had conducted. The Bureau had checked the simulations of the Administration of Italy and found that they were correct. The real characteristics of the Slovenian stations might not be exactly as recorded in the GE-84 Plan.

2.54 The Administration of Italy further reported, with regard to television broadcasting, on the impact of the coordination agreements signed with the Administrations of Spain, Austria, Switzerland, France, Monaco, the Vatican, Malta, Croatia, Greece, Montenegro and Slovenia with a view to re-planning the frequency band 470-694 MHz in order to enable future use of digital terrestrial television networks in this band and to facilitate the re-farming of the frequency band 694-790 MHz for terrestrial systems capable of providing wireless broadband electronic communication systems. Regarding sound broadcasting, it had provided information to the effect that VHF Band III, in particular, would be planned on the basis of the GE-06 Agreement, in order to create a regional multiplex for the transmission of television programmes in local areas and to maximize the number of coordinated blocks that could be allocated in each region to digital sound broadcasting. Moreover, according to a rule set out in Italy’s 2018 Budget Law, digital sound broadcasting receivers would have to conform to the requirements of Recommendation ITU-R BS.774-4. As a result, as of 1 June 2019, devices sold by manufacturers to retail electronic equipment distributors in Italy would have to integrate at least one interface that allowed the user to receive digital radio services; the same rule would apply as of 1 January 2020 to devices sold to consumers.

2.55 In conclusion, he said that the Bureau’s analysis showed that progress had been made vis-à-vis France, Switzerland and Malta, but that the situation remained difficult in respect of Croatia and Slovenia. Further bi- or multilateral coordination meetings might be needed.

2.56 The **Chairman** said that the Administration of Italy should be thanked for the extensive information provided and invited to provide future reports in timely fashion, so as to allow the Bureau and Board time to analyse them, and to allow the other administrations to respond with their comments.

2.57 **Mr Strelets**, while commending the Administration of Italy for the enormous amount of work it was doing to resolve the issues, said that he found it hard to gauge the efficiency of those efforts in the short time available. He suggested that the document be sent to the other administrations concerned, to allow them to comment before the next meeting of the Board. **Mr Koffi**, who also deplored the document’s late arrival, endorsed that suggestion.

2.58 The **Chairman** said that, despite the document’s late arrival and on the basis of the Bureau’s presentation, the Board could conclude that little progress had been made in respect of the FM band and the Administrations of Croatia and Slovenia, not least because those administrations did not have their radio broadcasters participate in the coordination meetings organized. Pending their reaction to Italy’s latest road map, he said those administrations should be urged to ensure that their radio broadcasters participated in such meetings, if such participation was in line with their national regulatory framework. In terms of the reference in the road map to programme rather than station

names, the Bureau should ask the Administration of Italy to update the tables in the document with station names.

2.59 **Ms Jeanty** applauded the progress made with a number of administrations but remained concerned about the lack of progress with others. She agreed with both of the Chairman's proposals and endorsed the organization of a second multilateral meeting, perhaps with the participation of fewer countries.

2.60 In reply to a query from the **Chairman, Ms Ghazi (Head TSD/BCD)** said that the multilateral meeting held in October 2017 had recommended that one multilateral meeting be held each year until the issue had been resolved, with a view to coordinating action (as opposed to frequencies). In the meantime, bilateral meetings should be held between the Administration of Italy and each of the other administrations concerned. It having proven difficult to arrange meetings with the Administrations of Croatia and Slovenia, the October meeting had decided to make them a priority and had stipulated that they should not be contingent on the participation of broadcasters. The next multilateral meeting was scheduled to take place in late June or early July 2018, but it would not be effective if there had been no bilateral meetings in the interval.

2.61 The **Chairman** suggested that the Board conclude as follows:

"In considering §4 of Document RRB18-1/2, the Board noted the improved situation regarding interference from Italy to most of its neighbours for television broadcasting stations, and encouraged the Administration of Italy to continue to coordinate with the administrations concerned to resolve cases of continuing interference relating to television broadcasting stations.

The Board carefully considered Document RRB18-1/2(Add.8) on the road map of actions of the Administration of Italy to solve cases of harmful interference with its neighbours and thanked the Administration of Italy for the comprehensive road map provided. The Board noted with concern the late submission of the document and invited the Administration of Italy to provide the contribution in a timely manner for future meetings. The Board further noted with satisfaction that some progress has been made to resolve a number of cases of harmful interference relating to sound broadcasting stations, but that there was a lack of progress concerning the sound broadcasting stations of the Administrations of Croatia and Slovenia. The Board urged the Administration of Italy to continue its coordination efforts and to arrange multi- and bilateral meetings as required, in particular with the Administrations of Croatia and Slovenia, which would include the participation of their broadcasters, if possible. The Board decided to instruct the Bureau to continue to provide the necessary support to the administrations in their coordination efforts."

2.62 It was so **agreed**.

Implementation of Nos. 11.44.1, 11.47, 11.49, 9.38.1 and 13.6 and Resolution 49 (§5 of Document RRB18-1/2(Rev.1))

2.63 Commenting briefly on §5 of Document RRB18-1/2(Rev.1), **Mr Vallet (Chief SSD)** noted that, whereas in 2012 there had been far more total network suppressions than partial suppressions, in 2017 there had been far more partial suppressions. The new trend reflected the fact that the Bureau was making good progress with its investigations, as it was now checking the individual frequencies used by each network.

Operation of stations in satellite and terrestrial services under No. 4.4 (§6 of, and Addendum 4 to, Document RRB18-1/2(Rev.1))

2.64 Regarding §6 of Document RRB18-1/2(Rev.1), on the operation of stations in satellite and terrestrial services under No. 4.4, **Mr Vallet (Chief SSD)** recalled the Board's discussions at its 75th and 76th meetings and drew attention to Addendum 4 to Document RRB18-1/2(Rev.1), which contained in Annex 1 a draft modified rule of procedure on No. 4.4 prepared by the Bureau further to those discussions. Annex 2 to the addendum analysed the history of No. 4.4, and Annex 3 presented statistics on the application of the provision by administrations for terrestrial and space services.

Commenting on the statistics relating to the latter, he noted some instances in which No. 4.4 was invoked for notifications, but said that such cases generally gave no cause for concern. On the other hand, certain API submissions for which No. 4.4 was invoked gave greater potential cause for concern, for example APIs for amateur services in the band 902-928 MHz, regarding which there could be a risk of interference to terrestrial services. In addition, the Bureau was required to watch out for mistakes in submissions, as those submitting the APIs could easily confuse the complex codes used for services in the Preface to the BR IFIC.

2.65 Commenting on the statistics on the application of No. 4.4 to terrestrial services, **Mr Vassiliev (Chief TSD)** said that, since 1999, 482 assignments had been notified under No. 4.4, and none of them had given rise to a complaint of harmful interference caused to any service of another administration.

2.66 Further to a proposal by the **Chairman**, the Board **agreed** to conclude on the matter as follows:

“The Board expressed its appreciation for the detailed information provided in §6 of Document RRB18-1/2 and Document RRB18-1/2(Add.4). The Board instructed the Bureau to circulate a draft rule of procedure on RR No. 4.4 to the administrations for comments and for approval at its 78th meeting, and that the historical background on the application of RR No. 4.4 would accompany the draft rule of procedure for information.”

Review of findings on frequency assignments to non-GSO FSS satellite systems under Resolution 85 (WRC-03) (§7 of Document RRB18-1/2(Rev.1))

2.67 **Mr Vallet (Chief SSD)** presented an update on the review of the Bureau’s findings on frequency assignments to non-GSO FSS satellite systems under Resolution 85 (WRC-03), publication of which had commenced in BR IFIC 2862 of 23 January 2018. He recalled that ITU-R Study Group 4 had approved Recommendation ITU-R S.1503-3 in January 2018. The Bureau would therefore start the budgetary and procurement procedures allowing it to purchase the software needed to carry out examinations under that version of the Recommendation (it was currently conducting such examinations under Recommendation ITU-R S.1503-2).

2.68 The Board **agreed** to conclude on §7 of Document RRB18-1/2(Rev.1) as follows:

“The Board noted the measures proposed by the Bureau in §7 of Document RRB18-1/2 when applying Resolution 85 (WRC-03) and instructed the Bureau to report on progress at the next meeting.”

Actions by the Radiocommunication Bureau following a decision by the Board to grant an extension of the regulatory time-limit for the bringing into use of frequency assignments to specific satellite networks (§8 of Document RRB18-1/2(Rev.1))

2.69 **Mr Vallet (Chief SSD)** described the case of the reinstatement of frequency assignments to the AMS-CK-17E satellite network as set out in §8.1 of Document RRB18-1/2(Rev.1). In order to prevent similar cases from occurring in the future, the Bureau wished to adopt the approach set out in §8.2: unless explicitly decided otherwise by the Board, an extension of the date of bringing into use of frequency assignments to a satellite network did not imply an extension of the regulatory deadline for submitting the notification under RR No. 11.15 and the due diligence data under Resolution 49, which would be useful to other administrations. Consequently, in cases where that information had not been provided before the Board’s decision to grant an extension of the deadline for bringing into use, the Bureau would inform the notifying administration after the Board decision that it still had to provide the notification and data within the seven-year period, in accordance with RR No. 11.48. In order to maintain accurate information, the Bureau would subsequently request the notifying administration to update the information indicated in Annex 2 to Resolution 49, when it became available, but before the end of the extended period. The Bureau sought the Board’s advice on the proposed approach.

2.70 **Mr Strelets** pointed out that the Board was authorized by the WRC to consider requests to extend regulatory deadlines. In the case of the AMS-CK-17E satellite network, when the Bureau had informed the Board that it was waiting to receive information under Resolution 49, the Board had reasonably objected that no information could be provided in the case of a launch failure. He had consequently been surprised to read that the Bureau had deleted frequency assignments that the Board had decided to extend. The Board should ask the Bureau to draft a rule of procedure clearly stipulating that when the Board decided to extend a regulatory deadline, the Bureau was fully aware that such extension also covered the information required under Resolution 49, if it had not already been provided.

2.71 **Ms Jeanty** supported the Bureau's proposal in §8.2. Administrations should have a clear understanding of what was expected of them.

2.72 **Ms Wilson** supported the extension granted to the AMS-CK-17E satellite network in respect of the information to be provided under Resolution 49. More generally, she also supported the development of a rule of procedure as proposed by Mr Strelets.

2.73 **Mr Vallet (Chief SSD)** said that the Bureau would draft a rule of procedure, with a view to its approval at the next Board meeting. It was nevertheless important that the notifying administration asking for the extension provide the information required under Resolution 49, as it knew its plans in detail and other administrations needed to know what those plans were. The Bureau therefore proposed that, when an extension was granted, only the bringing into use should be extended, except where the administration concerned expressly asked for – and the Board granted – an extension for the notification and Resolution 49 as well.

2.74 The **Chairman** and **Mr Kibe** agreed to the principle that a rule of procedure should be prepared.

2.75 **Mr Ito** agreed with Mr Vallet (Chief SSD) that the information required under Resolution 49 should be provided within the regulatory seven-year period.

2.76 **Mr Koffi** thanked the Bureau for its detailed report. The extension of the regulatory deadline in the case of the AMS-CK-17E satellite network should not have prevented the administration concerned from providing the due diligence data under Resolution 49. In view of the misunderstandings that had arisen in the case, it would be wise to draft a rule of procedure.

2.77 The **Chairman** suggested that the Board conclude as follows:

“The Board noted the actions taken by the Bureau in §8.1 and the issues raised in §8.2 of Document RRB18-1/2 in relation to the extension of the regulatory time limit for the bringing into use of the frequency assignments to a satellite network. The Board stressed that the notification information under RR No. 11.15 and the due diligence data under Resolution 49 (Rev.WRC-15) should be provided in compliance with the Radio Regulations. However, the Board considered that when an extension of the regulatory time limit for the bringing into use of the frequency assignments of a satellite network is granted, such a decision raises the question of whether or not the deadline for the submission of Resolution 49 (Rev.WRC-15) and notification information should also be extended. The Board instructed the Bureau to prepare a draft rule of procedure and to circulate it to the administrations for approval at its 78th meeting.”

2.78 It was so **agreed**.

Submissions related to satellite networks received after the regulatory deadline (§9 of Document RRB18-1/2(Rev.1))

2.79 **Mr Vallet (Chief SSD)** said that the Bureau had noticed with concern the growing number of cases in which notifying administrations submitted information related to a satellite network after the end of the regulatory period set forth in the Radio Regulations, for reasons that could not always be attributed to exceptional circumstances or clerical errors. Concerned to balance the rights of the notifying administration against those of other administrations, the Bureau had started sending

reminders to notifying administrations two months before the expiry of the six-month regulatory period stipulated in RR No. 11.46. In addition, ITU-R Working Party 4A was considering the explicit inclusion of such a practice in RR No. 11.46, under Issue C (Issues for which consensus was achieved in ITU-R) of WRC-19 agenda item 7. The Bureau hoped that such reminders would help administrations comply with the provisions of the Radio Regulations and suggested that the Board might also wish to remind all administrations of that requirement in its summary of decisions.

2.80 The **Chairman** said that the Radio Regulations were clear; it was not the Board's place to issue a reminder. However, the Bureau's proposal to send reminders before the deadline expired was sound, bearing in mind the proposal of ITU-R Working Party 4A to revise No. 11.46 at WRC-19. **Mr Magenta** agreed.

2.81 The Board **agreed** to conclude on the matter as follows:

“The Board considered §9 of Document RRB18-1/2 and encouraged the Bureau to apply the proposed measures to send reminders to administrations for the provision of the relevant information in the application of RR No. 11.46.”

No. 4.6 of the Radio Regulations (Addendum 1(Rev.1) to Document RRB18-1/2(Rev.1))

2.82 The **Director** drew attention to Addendum 1(Rev.1) to Document RRB18-1/2(Rev.1), containing a note addressed to him by ITU-R Working Part 7D proposing, for the reasons given in Document 7D/106 (annexed to the working party's note), that No. 4.6 of the Radio Regulations be reworded on the grounds of its contradictory nature and inconsistency with the Radio Regulations at large. He personally had some sympathy with the proposal, but wished to leave it to the Board to decide the matter, perhaps by referring it to the WRC or developing a rule of procedure on it. He noted that it had been well understood, during the Board's discussions of the interference caused by the Iridium network to the radio astronomy services, that protection of the latter was to be ensured by application of the criteria contained in the relevant ITU-R Recommendations.

2.83 The **Chairman** noted that the main concerns were the apparent inconsistency between the French and English versions of No. 4.6, and the meaning of its second sentence. Perhaps the latter need no longer be retained, given the manner in which the radio astronomy service had developed and the applicable criteria.

2.84 **Ms Jeanty** said that the provision was unclear. Her preference would be to refer the matter to the WRC.

2.85 **Mr Strelets** commented that No. 4.7, dealing with the space research (passive) and Earth exploration-satellite (passive) services, contained almost identical wording to that in No. 4.6. However, the submission before the Board presented the views of only one community involved in the matter, and it was beyond the Board's purview to delete the second sentence of the provision, thus also potentially relaxing the application of the provisions of the Radio Regulations. Moreover, agreements had been established between different parties based on the second sentence of No. 4.6, and its deletion might undermine those agreements. His preference would therefore be to report the matter to the WRC as one of the difficulties encountered in implementing the Radio Regulations.

2.86 **Mr Koffi** and **Ms Wilson** agreed with the previous speakers that the matter should be referred to the WRC.

2.87 **Mr Magenta** recalled that, in the event of a discrepancy between different language versions, the French text prevailed. Moreover, if a problem arose regarding protection criteria, the matter should be referred to the relevant study group. Lastly, the Board should not develop a rule of procedure unless specifically asked to do so by an administration. The matter should be brought to the attention of the WRC by the Director.

2.88 The **Chairman** suggested that the Board conclude as follows:

“In considering the proposed modification to RR No. 4.6 in Document RRB18-1/2(Add.1)(Rev.1), the Board concluded that such a modification to the Regulations is outside its purview. The Board instructed the Director to include this matter in the Report to WRC-19.”

2.89 It was so **agreed**.

Resolution 119 (Rev. Antalya, 2006) (Addendum 3 to Document RRB18-1/2(Rev.1))

2.90 The **Director** introduced Addendum 3 to Document RRB18-1/2(Rev.1), drawing attention to the text of his report to PP-14 on the action taken by the Board pursuant to Resolution 119 (Rev. Antalya, 2006). He asked whether the Board wished to prepare similar or additional material for the attention of PP-18.

2.91 **Mr Strelets** said that the Regional Commonwealth in the field of Communications was discussing three possible modifications to Resolution 119 (Rev. Antalya, 2006): enabling administrations affected by another administration’s contribution to ask that the Board postpone its deliberations to a subsequent meeting rather than submitting a late contribution; making the Board’s deliberations more transparent by providing access to webcasts after the summary of decisions had been published; and allowing administration representatives to attend Board meetings and present their arguments.

2.92 **Mr Al Hammadi**, pointing out that *further instructs* of Resolution 119 called on the Secretary-General “to report to the 2007 session of the Council, to subsequent sessions of the Council and to the next plenipotentiary conference”, i.e. PP-10, suggested that there was no need to report to PP-18.

2.93 The **Director** agreed, recalling that Resolution 119 (Rev. Antalya, 2006) had been adopted in a context of uncertainty regarding the Board’s format. It had therefore served its purpose.

2.94 **Ms Wilson** also agreed. That being said, the Board could, from time to time, usefully discuss further improvements to its effectiveness and efficiency, within the spirit of Resolution 119.

2.95 **Mr Strelets** pointed out that plenipotentiary conferences reviewed all existing resolutions. Moreover, resolutions were a matter dealt with by administrations, not the Board. The Board members attending PP-18 would have to be given instructions regarding Resolution 119.

2.96 The **Chairman** suggested that the Board conclude as follows:

“In relation to Resolution 119 (Rev. Antalya, 2006) as contained in Document RRB18-1/2(Add.3), the Board concluded that this resolution does not require the Bureau to report to PP-18 on the activities of the Board.”

2.97 It was so **agreed**.

Issues to be included in the report of the Director to WRC-19 (Addendum 5 to Document RRB18-1/2(Rev.1))

2.98 **Mr Vallet (Chief SSD)** introduced four contributions, presented in Addendum 5 to Document RRB18-1/2(Rev.1), which the Bureau had submitted to ITU-R Working Party 4A in February 2018 and which concerned points that the Bureau planned to include in the BR Director’s Report to WRC-19. Regarding Document 4A/660, the Board was asked to note the development of a web-based platform for submission of data on typical FSS earth stations and the data received so far by the Bureau. In respect of Document 4A/661, which described the reasoning behind several urgently required modifications to Resolution 49 (Rev.WRC-15), ITU-R Working Party 4A had reached two conclusions: that the possible incorporation of the data elements of into Appendix 4 should be studied, and that it was premature to merge Resolutions 49 (Rev.WRC-15), 40 (WRC-15) and 552 (Rev.WRC-15). Regarding Document 4A/662, on the examination and publication of notices concerning review of findings under Resolution 85 (WRC-03), he drew the Board’s attention to the examples of results files contained in the annexes thereto. Lastly, Document 4A/663 described possible modifications to Appendix 4 corresponding to Recommendation ITU-R S.1503-3. ITU-R

Working Party 4A had welcomed those modifications and asked the Bureau to submit a consolidated version of Appendix 4 to its next meeting, which would be held in July 2018, just before the 78th meeting of the Board.

2.99 Regarding Document 4A/661, **Mr Strelets** asked for clarification of the following sentence: “Using a similar approach to Resolution 552 (Rev.WRC-15) for the treatment and publication of due diligence information under Resolution 49 (Rev.WRC-15), additional clarity could be achieved.”

2.100 **Mr Vallet (Chief SSD)** explained that additional clarity could be achieved in regard to discrepancies between practice and theory. Resolution 49 had initially been conceived to indicate the existence of a satellite project. The text therefore stated that the due diligence information had to be provided “as early as possible”. WRC-03 had subsequently established a seven-year deadline for providing that information. Since that time, some administrations continued to apply Resolution 49 to the letter, providing the information as soon as possible, while others provided the information at the end of the filing process, at the same time as the notification and the bringing into use of frequency assignments. The Bureau accepted both practices, but noted that the date of receipt of the filing had to be looked at to determine whether the filing concerned a future project or an existing satellite. Clarity could be obtained by using an approach similar to Resolution 552 (Rev.WRC-15), which stipulated that all information had to relate to existing satellites.

2.101 **Mr Strelets**, pointing out that §12 of Annex 1 to Resolution 49 (Rev.WRC-15) clearly provided that information about the date of bringing into use had to be communicated to the Bureau “as early as possible”, said that the relevant rule of procedure developed by the Bureau should state that the information under Resolution 49 (Rev.WRC-15) had to be provided, not over a seven-year timeline, but within the time by which the regulatory deadline had been extended.

2.102 The **Chairman** noted that the revised version of Resolution 49 (Rev.WRC-15) should take into account the draft rule of procedure to be submitted to the next meeting of the Board.

2.103 The Board **agreed** to conclude on the matter as follows:

“The Board noted with satisfaction the detailed information provided in Document RRB18-1/2(Add.5), which would assist members of the Board and administrations in their preparations for WRC-19. In relation to the proposed improvements to Resolution 49 (Rev.WRC-15) the Board instructed the Bureau that the corresponding rule of procedure on Resolution 49 (Rev.WRC-15) needs to be taken into account in the proposed revision of this document that would be submitted to WRC-19.”

2.104 **Mr Strelets** thanked the Bureau for preparing its proposals well in advance of WRC-19. The **Chairman** seconded that sentiment on behalf of all Board members, adding that the Board was thus kept abreast of subjects to be discussed at WRC-19.

2.105 The Director’s report in Document RRB18-1/2(Rev.1), together with its various addenda, was **noted**.

3 Rules of procedure (Document RRB18-1/1 (RRB16-2/3(Rev.7)))

3.1 **Ms Jeanty**, speaking as the Chairman of the Working Group on the Rules of Procedure, introduced Document RRB18-1/1 (RRB16-2/3(Rev.7)), according to which the only rule of procedure still to be dealt with by the Board was the one on Resolution 907 (Rev.WRC-15). Prior to the present meeting, however, she had received proposals from the Bureau for further new or modified rules to be considered by the Board, which would be incorporated in an updated version of the document under consideration, along with any further rules identified by the present meeting.

3.2 It was so **agreed**.

3.3 **Mr Vallet (Chief SSD)** introduced the various proposed new and modified rules that would be added to the document.

3.4 Regarding the rule of procedure proposed for No. 11.48, **Mr Strelets** recalled the views he had expressed earlier at the present meeting, and said that any proposed modification to the rule should allow greater possibilities for administrations, when seeking bringing-into-use extensions, to also obtain extensions for their Resolution 49 and notification submissions. For example, in the event of satellite loss due to launch failure, administrations might have no immediate idea how they were going to replace their lost resources, and thus be in no position to make Resolution 49 and notification submissions within the original deadlines.

3.5 **Mr Vallet (Chief SSD)** said the intention was to allow for the possibility of such additional extensions without making them automatic. To automatically extend all three deadlines could lead to very unclear situations for other administrations in terms of coordination requirements, etc. **Mr Ito** agreed.

3.6 The **Chairman** said that the Board would have ample opportunity to discuss the draft modified rule at its 78th meeting, along with any comments on it submitted by administrations.

3.7 The Board **approved** its conclusions on the item as follows:

“Based on information provided by the Bureau, the Board decided to update the list of proposed rules of procedure in Document RRB18-1/1 (RRB16-2/3(Rev.7)).”

4 Submission by the Administration of the United Kingdom requesting that the notification and bringing into use of the frequency assignments to the AM-SAT AF3 BSS MOD-A satellite network be processed (Document RRB18-1/4)

4.1 **Mr Wang (Head SSD/SNP)** introduced Document RRB18-1/4 containing a request by the Administration of the United Kingdom for the notification and bringing into use of the frequency assignments to the AM-SAT AF3 BSS MOD-A satellite network to be processed and recorded in the Master Register despite the fact that, “due to purely administrative issues”, its Part B and Resolution 49 information had been received late, namely one working day (three calendar days) after the applicable deadline, as a consequence of which the Bureau had cancelled the network. The United Kingdom’s submission stressed the importance of the network, not least in view of the resources spent on it, and noted that over 90 per cent of the coordination required had been completed or was no longer required. Further to a query by the **Chairman**, he said that the Bureau had informed the United Kingdom Administration that Article 14 of the Radio Regulations was not applicable to the case.

4.2 **Mr Strelets** said that, from the regulatory viewpoint, the Bureau could not be faulted for cancelling the network under consideration. All other factors related to the case nevertheless pleaded in favour of retaining the network: the submissions had been only one working day late, the network was in operation in compliance with all the other relevant provisions, and over 90 per cent of coordination had been completed. It was not, however, within the mandates of either the Bureau or the Board to reinstate the assignments. The Board should forward the matter to the WRC for decision, while instructing the Bureau to keep the assignments in the database pending that decision.

4.3 **Mr Koffi** agreed with Mr Strelets, but asked what impact cancellation of the network would have on other networks.

4.4 **Mr Khairov** also supported Mr Strelets. To his understanding, however, to retain the United Kingdom’s assignments would have no impact on the networks of other administrations, as the United Kingdom’s submissions had been only one working day late.

4.5 **Mr Wang (Head SSD/SNP)** said that there should be no impact on other administrations as, on account of the processing backlog, the United Kingdom’s Part-B submission has not been processed.

4.6 **Mr Hoan** noted that the Radio Regulations drew no distinction between working days and calendar days, thus the United Kingdom's submissions had been three days late. Having said that, he endorsed the comments and way forward proposed by Mr Strelets.

4.7 **Ms Wilson** generally endorsed the previous speakers' comments, including the fact that to accede to the United Kingdom's request would have no impact on other administrations. However, with WRC-19 over a year and a half away, she saw no practical option but for the Board to accede to the request immediately.

4.8 **Mr Ito** said that, of the ways forward proposed by Mr Strelets and Ms Wilson, he would prefer the former's, which was in stricter compliance with the Radio Regulations. **Ms Jeanty** and **Mr Magenta** agreed.

4.9 **Mr Kibe** considered, for the reasons given by previous speakers, that the network should be reinstated. The case was a good example of the kind reported on by the Director in §9 of his report in Document RRB18-1/2(Rev.1), dealing with submissions related to satellite networks received after the regulatory deadline, and it appeared to involve a genuine mistake on the part of the notifying administration. In his view, the best course of action in such cases was for the Bureau to report them to the Board under the Article 14 procedure. In the present case, the Board should reinstate the assignments and report the matter to the WRC for information.

4.10 **Ms Wilson** said that other cases involving far greater infringements of the Radio Regulations had been dealt with by the Bureau under No. 14.4 and simply reported to the Board for information. The Board must be consistent. Where was the line to be drawn between cases the Bureau could deal with under No. 14.4, cases that the Board had the authority to decide, and cases that had to be referred to the WRC?

4.11 **Mr Vallet (Chief SSD)** said that the Bureau indeed sometimes took decisions under Article 14 dealing with exceptional cases, reporting them to the Board subsequently. In the present case, however, the Bureau had not taken any final decision, but had informed the United Kingdom that its submissions were unreceivable and that the Bureau did not deem Article 14 applicable to the case. The United Kingdom Administration had reacted by stating its intention to bring the matter before the Board.

4.12 **Mr Al Hammadi** said that, although the Bureau had acted correctly in its application of the Radio Regulations, the Board could accede to the United Kingdom's request without referring the matter to the WRC for decision, for the reasons given by previous speakers.

4.13 **Mr Ito** said that he understood the views expressed by Ms Wilson and Mr Al Hammadi. However, although the decision to accede to the present request was relatively straightforward, as it involved only one working day, a subsequent request might involve a longer period, and the Board would not know where to draw the line. The safest course of action was that proposed by Mr Strelets.

4.14 **Mr Strelets** endorsed Mr Ito's comments. Regarding comments by Mr Vallet (Chief SSD), he said that the United Kingdom had had little option but to submit its case to the Board, given that the Bureau had indicated the impossibility of dealing with it under Article 14. The action taken by the Bureau had been correct, recognizing that §9 of the Director's report clearly reflected the potential impact on other administrations of delays in submitting information. The Board had no legal basis or mandate for extending the regulatory period as requested by the United Kingdom, but could not be faulted if it requested the Bureau to maintain the assignments in the database and reported the matter to WRC-19 for decision.

4.15 **Mr Koffi**, supported by **Ms Jeanty**, said that the important point was not precisely how many days late the United Kingdom had made its submission, but the fact that the network involved was operational. The Board could, in his view, accede to the United Kingdom's request; but he could agree to refer the matter to the WRC for decision.

4.16 **Mr Al Hammadi**, referring to the question of where to draw the line regarding the specific number of days a submission could be late, noted that the Board decided all such requests case by case. Moreover, the Board had acceded to far more complex requests in the past. The Board should accede to the present request, and could report the matter to the WRC for information only.

4.17 **Ms Wilson** agreed with Mr Koffi and Mr Al Hammadi. A review of past decisions by the Board on comparable cases showed that the Board had always acceded to similar requests, especially if they involved short administrative delays and had no impact on other administrations. Moreover, the Board had recently decided that the Bureau could take decisions on similar cases under No. 14.4 and simply report those decisions to the Board for information – which, to listen to some of the arguments now being put forward, seemed to imply that the Bureau had more authority than the Board in its decision making. Surely the Board existed precisely in order to deal with such cases – involving human error, which was inevitable from time to time – without having to refer them to the WRC for decision. The Board should accede to the United Kingdom’s request and report the decision to the WRC for information only.

4.18 **Mr Strelets** said that the way forward advocated by Mr Ito and himself both safeguarded the assignments of the administration concerned and respected the fact that, regardless of the number of days involved, neither the Bureau nor the Board had the authority to extend the regulatory period. To his mind, Ms Wilson’s interpretation of No. 14.4 gave the Bureau that authority. No. 14.4 existed to allow administrations to appeal against decisions by the Bureau, for example when certain data had not been taken into account, but not to extend deadlines. Indeed, in §9 of Document RRB18-1/2(Rev.1), the Bureau suggested that “the Board may also wish to remind all administrations of their requirement to comply with the deadlines contained in the provisions of the Radio Regulations”.

4.19 The **Chairman** noted that the Radio Regulations did not give the Board the authority to extend deadlines in the manner requested, as the case did not involve *force majeure* or co-passenger delay. The course of action proposed by Mr Strelets and others was therefore the safest, in that it protected the interests of the administration submitting the request while also complying with the Board’s mandate. He noted that there was general agreement among Board members that the assignments under discussion should be saved, in one way or another.

4.20 **Mr Magenta** suggested that the conference might be requested to determine how many days’ grace could be allowed in such cases.

4.21 Following some further discussion, including on the Board’s treatment of similar cases at past meetings, **Mr Vallet (Chief SSD)** suggested that the best way forward might be for the Board to instruct the Bureau to process the United Kingdom’s submissions as requested, and to report the matter, along with other, similar cases, to the WRC without asking for any specific action on the part of the conference. In that way, the WRC would be free to discuss the cases if it so wished, and to take any action on them it deemed appropriate.

4.22 **Mr Terán** said that he could endorse the suggestion by Mr Vallet (Chief SSD), noting that the network in question was in operation and coordination was virtually completed, and bearing in mind the need for consistency with previous decisions, even if such requests were always dealt with case by case.

4.23 The **Chairman** suggested that the Board conclude as follows:

“The Board carefully considered the information provided and the request from the Administration of the United Kingdom in Document RRB18-1/4 to process the notification and the bringing into use of the frequency assignments to the AM-SAT AF3 BSS MOD-A satellite network, and noted that the Bureau acted in strict accordance with the provisions of the Radio Regulations. The Board further noted that:

- the satellite is already operational and the coordination process for the corresponding network is at an advanced stage;

- the delay in the provision of the due diligence information and final technical characteristics had no negative impact on the frequency assignments of other administrations.

Consequently, the Board decided to instruct the Bureau to accept the submissions under § 4.1.12 of Article 4 and under §§ 5.1.2/5.1.6 of Article 5 of Appendix 30/30A, as well as the due diligence information for the AM-SAT AF3 BSS MOD-A satellite network, as if they were received within the regulatory limit and to process those submissions accordingly. The Board further instructed the Director to report this matter to WRC-19.

The Board also encouraged administrations to comply with the regulatory deadlines of the Regulations.”

4.24 It was so **agreed**.

5 Submission by the Administration of Korea (Republic of) requesting an extension of the regulatory deadline for the bringing into use of frequency assignments to the KOREASAT-116.0E satellite network in the 20.2-21.2 GHz and 30.0-31.0 GHz frequency bands (Document RRB18-1/6)

5.1 **Mr Loo (Head SSD/SPR)**, introducing Document RRB18-1/6, recalled the sequence of events prompting the Administration of the Republic of Korea to request the Board to confirm that the delay in the launch of the KOREASAT-7 satellite constituted *force majeure* and grant it a one-month extension of the regulatory period for bringing into use the frequency assignments to the KOREASAT-116.0E satellite network at 116°E in the bands 20.2-21.2 GHz and 30.0-31.0 GHz, from 7 May 2017 to 5 June 2017.

5.2 The **Chairman** suggested that the Board bear in mind similar cases handled at previous meetings.

5.3 **Mr Al Hammadi** considered that the Board should accede to the request as the most important information – that most of the coordination of the frequency assignments with other administrations had been completed, as confirmed by the Bureau – was available.

5.4 **Ms Wilson** said, referring specifically to the Board’s decision, taken at its 75th meeting, to extend the regulatory period for bringing into use the frequency assignments to the UK-KA-1 satellite network, which was a co-passenger on the same launch vehicle and was delayed by the same event that the Board deemed to be a *force majeure*, that the Board should be consistent and accede to the request of the Administration of the Republic of Korea.

5.5 **Mr Hoan**, noting that the frequency assignments had been brought into use, that the Administration of the Republic of Korea had made a clear case for *force majeure*, and that the KOREASAT-7 satellite fulfilled the regulatory requirements, including Resolution 49 information, said that the request should be accepted.

5.6 **Ms Jeanty** also recalled the similar case submitted by the United Kingdom to the Board’s 75th meeting. The present case was well presented, and clearly met the four conditions for *force majeure*. The Board should accede to it.

5.7 **Mr Kibe** said that the *force majeure* conditions were all met and that the Board should accede to the request for a one-month extension.

5.8 **Mr Strelets** commended the Administration of the Republic of Korea for its clear and concise document. The case was clearly one of *force majeure* and the Board should therefore accede to the request.

5.9 **Mr Koffi** also applauded the clarity of the document, which demonstrated that the four conditions for *force majeure* had been met. The Board should accede to the request.

5.10 **Mr Ito** agreed with previous speakers.

5.11 **Mr Khairov** said that the case constituted a textbook example of *force majeure* and agreed with previous speakers that the Board should accede to the request.

5.12 The Board **agreed** to conclude on the matter as follows:

“The Board considered the request and information provided by the Administration of the Republic of Korea as provided in Document RRB18 1/6. Noting the reasons given, the Board concluded that:

- this situation met all of the conditions of *force majeure*;
- the administration had made efforts to meet the regulatory time limit;
- the administration complied with all the other provisions of the Radio Regulations; and
- the request was for a defined and limited extension.

Consequently, the Board decided to accede to this request by extending the regulatory period for bringing into use the frequency assignments to the KOREASAT-1 16.0E satellite network in the 20.2-21.2 GHz and 30.0-31.0 GHz frequency bands by one month until 5 June 2017.”

6 Submission by the Administration of Papua New Guinea requesting an extension of the regulatory deadline for bringing into use the frequency assignments 20 200-21 200 and 30 000-31 000 MHz to the NEW DAWN 33 satellite network (Document RRB18-1/8)

6.1 **Mr Loo (Head SSD)**, introducing Document RRB18-1/8, said that the Administration of Papua New Guinea had invoked co-passenger issues in its request for a three-year extension of the regulatory deadline for bringing into use the frequency assignments 20 200-21 200 and 30 000-31 000 MHz to the NEW DAWN 33 satellite network. He presented the issues involved, as set out in the annexes to Document RRB18-1/8.

6.2 **Mr Magenta** said that the action requested of the Board was clearly set out in the document, namely for the Board to “execute its authority, granted to the RRB by WRC-12 and more recently confirmed by WRC-15, to decide that the launch delay due to co-passenger issues merits the extension of the regulatory deadline by three years”.

6.3 **Mr Ito** found the information provided in the annexes to Document RRB18-1/8 misleading. While it was true that the Al Yah 3 satellite had suffered co-passenger delays in respect of its location at 20°W, it had returned to that position before it could bring into use the frequency assignments at 33°E – the orbital position to be occupied by the Al Yah 4 satellite, which was the subject of the present request – on the decision of the Administration of Papua New Guinea. In addition, the annexes contained no information on a co-passenger delay regarding the Al Yah 4 satellite. Papua New Guinea was requesting the three-year extension without touching on the bringing into use of the frequency assignments at 33°E.

6.4 **Ms Wilson** agreed that the information provided was misleading. The Administration of Papua Guinea cited commercial obligations for moving the Al Yah 3 satellite back to 20°W, suggesting that the launch delays it had experienced were not relevant to the request concerning the 33°E position. She found it difficult to conclude that the case involved co-passenger issues.

6.5 The **Chairman** noted that the Board had never before been asked to grant a three-year extension in a case involving a co-passenger delay: co-passenger extensions it had granted in the past had been for far lesser periods.

6.6 **Mr Strelets** pointed out that the Administration of Papua New Guinea was in fact trying to use a single satellite to bring into use two orbital slots. The launch delay involving the Al Yah 3 satellite and the three-year extension requested for the Al Yah 4 satellite were not linked. The case of the AMOS-6 satellite, on which the Board had ruled at its 73rd meeting, had set an unfortunate precedent in that respect. He was hard put to see how the Board could accede to the present request.

6.7 **Mr Khairov** agreed with Mr Strelets that the situations of the Al Yah 3 and the Al Yah 4 satellites, respectively, were not related. Moreover, there was no evidence of *force majeure*.

6.8 The **Chairman** pointed out that the Administration of Papua New Guinea had invoked co-passenger issues, not *force majeure*. In the past, such issues had arisen in connection with launch delays, not with problems pertaining specifically to the satellite involved. In the current case, the Al Yah 4 satellite was not yet available; indeed, it was unclear whether it had even been built, or whether the administration needed the three-year extension to build it.

6.9 **Ms Jeanty** said that she had reached the same conclusion as Mr Strelets: one satellite was being used to bring into use two orbital slots. The request for an extension on the grounds of co-passenger delay concerned the Al Yah 4 satellite, yet it was the Al Yah 3 satellite that had experienced such delays. She asked if there was a difference in terms of co-passenger delay if the satellite was a hosted payload as opposed to a payload looking for a co-passenger, as in the present case. Moreover, the “publicly available information” referenced in the annexes proved, on further research, to attest to the existence of a manufacturing delay and difficulties in finding launch slots, which were not in the same category as co-passenger delay. She agreed that a three-year extension was extreme for a case of co-passenger delay. If the Board found that there had been a co-passenger delay, it should grant an extension of a few months at the most.

6.10 **Mr Al Hammadi** questioned whether the Board’s decision should be based solely on the fact that the information provided was ambiguous and that previous requests for extensions on the grounds of co-passenger delay had been for shorter periods; perhaps the request should be viewed in the light of a developing country’s needs to improve broadband services. The Board should not flatly deny the request; rather, it should ask the Bureau to communicate the Board’s concerns to the Administration of Papua New Guinea with a request for clearer information.

6.11 **Mr Strelets** said that the Board’s decision had to be clearly justified. In a case of co-passenger delay, the Board was authorized to grant an extension, limited in time, with justification. The present case did not involve a delay in putting a satellite into its orbital position. Instead, the administration was using one satellite to bring into use two orbital positions. If the Board acceded to the request, other administrations would find it difficult to understand why.

6.12 The **Chairman** asked whether other members of the Board agreed with Mr Al Hammadi’s suggestion that more information be requested, and if so, what information they would wish to receive.

6.13 **Mr Ito** said that he did not see how the Board could accede to the request. In rejecting the request, however, it need not do anything else; if the administration needed the orbital position at 33°E, it would surely provide more information.

6.14 **Mr Khairov** agreed with Mr Ito. In refusing the request, the Board would not be closing the door to receiving more information. If such information was available, the Administration of Papua New Guinea could forward it to the next Board meeting and he would be happy to review it. In addition, contrary to Mr Strelets’s assertion, he saw no problem with using the Al Yah 3 satellite to bring into use both orbital positions, if the regulatory deadlines had been met. If the administration had asked for an extension because of the launch delay experienced by the Al Yah 3 satellite, the Board could have found in its favour. As the case was presented, however, there were insufficient grounds to accede to the request.

6.15 **Ms Wilson** said that, although the Board could defer its decision to the next meeting pending the receipt of further information, she would find it difficult to craft a question that would justify that delay. If Papua New Guinea disagreed with the Board’s decision, it could appeal to WRC-19, which would meet well within the three-year period requested. She therefore agreed with previous speakers that the Board should not accede to the request.

6.16 **Mr Hoan** agreed that it was hard to understand the link between the request and the event that had given rise to it. Even if the delayed launch of the Al Yah 3 satellite was considered to involve

co-passenger issues, the extension requested – three years – was very long. It would be hard for the Board to ask for more information. The information currently available was clear, and allowed the Board to decide at its current meeting.

6.17 **Ms Jeanty** agreed with Mr Khairov that the basic problem was not that one satellite had been used to bring into use two orbital positions, but that the extension requested was too long. The Board should not, however, haggle over the exact length of the extension, but should simply turn down the request, allowing Papua New Guinea to appeal to WRC-19 if it so wished. She, too, would find it difficult to craft a good question to ask.

6.18 **Mr Al Hammadi** said that administrations were entitled to clear explanations of Board decisions, and that a decision that was not clearly reasoned would reflect poorly on the Board. If the length of the extension requested was the reason for turning down the request, the Administration of Papua New Guinea had to be clearly informed accordingly.

6.19 **Ms Wilson** suggested that the Board might instruct the Bureau to cancel the frequency assignments effective on the last day of WRC-19, as that would allow Papua New Guinea to appeal the decision to the conference. She pointed out that, in cases submitted by the Administrations of India and Indonesia, the Board had concluded as follows at its 76th meeting: "... the Board instructed the Bureau to continue to take into account the frequency assignments to the ... satellite network until the end of WRC-19 without taking any subsequent actions in relation to this satellite network, thus not foreclosing the possibility for this decision to be appealed to WRC-19". Admittedly, however, in both of those cases the satellite was already in orbit.

6.20 **Mr Strelets** stressed that extensions had to be justified and limited in time. In the present case, the Board had insufficient grounds to grant an extension that was, moreover, not limited in time. All administrations, whether large or small, representing developed or developing countries, were equal vis-à-vis the Radio Regulations. If the Administration of Papua New Guinea did not agree with the Board's decision, it could appeal to the next Board meeting or to WRC-19. Like previous speakers, he would find it impossible to formulate a request for further information.

6.21 **Mr Ito** agreed that Papua New Guinea was free to provide additional information to the Board or to appeal the decision to WRC-19 if it disagreed with the Board's decision.

6.22 **Ms Jeanty** doubted that Ms Wilson's proposal was feasible: the Al Yah 4 satellite was not yet in position and it was unclear where the Al Yah 3 satellite was. She asked whether it was possible for the administration to come back to the Board with more information.

6.23 The **Chairman** noted that the majority of Board members agreed that the request did not relate to a co-passenger issue and that the Board could therefore not accede to it. Some members thought that the Administration of Papua New Guinea should be given the opportunity to provide more information. That would depend on whether the Radio Regulations allowed the administration to provide the Board with additional information and ask it to review its decision.

6.24 **Mr Magenta** said that the Board's decision had to stress that the length of the extension requested was the most significant factor.

6.25 The **Chairman** said that, for him, the most important issue in co-passenger cases was that the satellite concerned had to be available, which was not the case of Al Yah 4.

6.26 **Mr Al Hammadi** had no objection to the Board's decision not to accede to the request, but the Board must clearly justify its decision: the information was unclear and a three-year extension was too long for a co-passenger issue; there might be other reasons. The administration had to have a clear understanding of the reasons for the Board's decision, so that it could appeal the decision if it so wished.

6.27 **Ms Wilson** agreed that the Board had to turn down the request. She asked the Bureau whether it could maintain the filings until WRC-19, allowing the administration the opportunity to appeal to the conference, or whether the Board's decision was final in that regard.

6.28 **Mr Strelets** said that a Board decision was final only in the application of RR No. 14.6, i.e. when the Board reviewed a finding or other decision of the Bureau with which an administration did not agree. If the administration concerned disagreed with the Board's decision, it could raise the matter only at a WRC. In all other cases, the administration could appeal to the Board for further consideration, even in respect of RR No. 13.6. The current examination did not fall within the scope of RR No. 14.6. In the case under consideration the Board was therefore entitled to reconsider its own decision.

6.29 **Mr Vallet (Chief SSD)** confirmed that, in application of RR. No. 14.6, Board decisions were final only in respect of Bureau findings or other decisions. In the past, the Board had agreed to re-examine cases if additional information had been provided. He observed that, in the case at hand, if the Bureau was informed that the Administration of Papua New Guinea intended to submit additional information to the Board, it would not suppress the frequency assignments, because it was more work for the Bureau to reinstate – and therefore re-examine – assignments.

6.30 **Mr Botha (SGD)** confirmed that the Rules of Procedure made it clear that the Board's decisions were final only in cases governed by No. 14.6.

6.31 The **Chairman** suggested that the Board conclude as follows:

“The Board considered the submission from the Administration of Papua New Guinea, which is contained in Document RRB18-1/8, requesting to extend the regulatory time limit for bringing into use the frequency assignments to the NEW DAWN 33 satellite network at 33°E in the frequency bands 20 200 – 21 200 and 30 000 – 31 000 MHz for three years, until 12 November 2020.

The Board considered that:

- it has the authority to provide a limited and qualified extension of the regulatory time limit for bringing into use frequency assignments to a satellite network in the event of either a co-passenger delay or in a case of *force majeure*;
- the delay in bringing into use the frequency assignments to the NEW DAWN 33 satellite network could not be qualified as the direct result of a co-passenger delay based on the information provided.

Consequently, the Board concluded that the case did not fall in the category of co-passenger delay and decided:

- not to accede to the request from the Administration of Papua New Guinea;
- to instruct the Bureau to suppress the frequency assignments to the NEW DAWN 33 satellite network at 33°E.”

6.32 It was so **agreed**.

7 Submission by the Administration of the Netherlands on the resubmission of a notice for the notification under No. 11.46 of the NSS-BSS 95E TTC satellite network (Document RRB18-1/5 and Addendum 1)

7.1 **Mr Wang (Head SSD/SNP)** introduced Document RRB18-1/5 and Addendum 1, containing a request by the Administration of the Netherlands for the Board to review the Bureau's decision that it could not accept the resubmission of a notice for the notification of the NSS-BSS 95E TTC satellite network at 95°E after expiry of the six-month deadline stipulated in No. 11.46. The Netherlands' original submission had been returned with an unfavourable finding on 27 August 2013. Its resubmission, on 19 February 2014, had been received before expiry of the six-month deadline, but the Bureau returned it on 21 April 2017, again with an unfavourable finding and gave a further six-month deadline for resubmission. The Netherlands had returned the notice, but 39 days late, further to which the Bureau had advised the administration that the notice was not receivable with the original date of receipt. The Netherlands was therefore now submitting the case to the Board, requesting it to accept its latest resubmission without a new date of receipt or additional cost recovery charges, on

the grounds that the administration would have resubmitted the notice sooner had the Bureau not taken so long to process and return it, coordination could be deemed completed, and cancellation of the notice would have a significant impact on a network and spacecraft that were operational and used for telecommand operations. If the Board did not accede to the request, the network would be cancelled. In response to a question by the **Chairman**, he said that to reinstate the network should have no impact on other administrations' networks.

7.2 **Mr Strelets** said that the NSS-BSS 95E TTC network was operational and would presumably remain operational no matter what decision the Board took; it was using a mere 1 MHz of spectrum, and was providing essential, non-commercial safety services. On the other hand, despite having made the Administration of the Netherlands wait some three-four years before responding to its 2014 resubmission, the Bureau had applied the Radio Regulations correctly. Strictly speaking, given that the latest resubmission had been 39 days late, the Board was not competent to accede to the request, but might consider treating it in the same manner as the United Kingdom's request to the present meeting and reporting it to WRC-19.

7.3 **Mr Hoan** recalled comparable cases that the Board had considered at its 69th, 72nd and 73rd meetings, each of which it had dealt with differently. The Board must be consistent in the decisions it took. He nevertheless endorsed the comments and way forward proposed by Mr Strelets.

7.4 **Mr Khairov** endorsed Mr Strelets's comments, and further noted the request by the Netherlands in its letter of 19 February 2014 that No. 11.41 be applied if necessary, in which case the assignments were to have been recorded in the MIFR and, if they had been, would have been taken into account. The Board could accede to the request now before it.

7.5 **Mr Kibe** said that the Board should accede to the present request, in view of the fact that the Bureau had failed to deal with the administration's submission for three-four years; coordination had been completed with China and there would be no impact on other networks; and the 1 MHz of spectrum was operational and was being used for essential services.

7.6 **Ms Wilson** and **Mr Koffi** agreed that the Board should accede to the request before it.

7.7 **Mr Ito** agreed that the Board should accede to the request, but noted that the Board was receiving more and more requests for regulatory extensions on the grounds of administrative oversights. The Board should urge administrations to comply with the provisions of the Radio Regulations.

7.8 The **Chairman** suggested that the Board conclude as follows:

“The Board considered in detail the submission by the Administration of the Netherlands on the resubmission of a notice for the notification of the frequency assignment to the NSS-BSS 95E TTC satellite network under No. 11.46 as contained in Documents RRB18-1/5 and RRB18-1/5(Add.1), and noted that the Bureau acted in strict accordance with the provisions of the Radio Regulations.

The Board further noted that:

- the satellite is operational and performing a service of critical importance ensuring the control of the satellite at 95°E;
- the coordination procedures for the satellite have been completed and the system occupies only a 1 MHz bandwidth, resulting in minimum impact on the services of other administrations.

Consequently, the Board decided to accede to the request from the Administration of the Netherlands. The Board instructed the Bureau to accept the notification of the frequency assignment to the NSS-BSS 95E TTC satellite network as if they were re-submitted within the 6 month limit as stipulated in RR No. 11.46 and to process the resubmission accordingly. Furthermore, the Board instructed the Director of the Radiocommunication Bureau to report this case to WRC-19.”

7.9 It was so **agreed**.

8 Iridium satellite system (HIBLEO-2) interference to the radio astronomy service (Documents RRB18-1/3 and RRB18-1/9)

8.1 **Mr Sakamoto (Head SSD/SSC)**, recalling that the issue had been discussed at the previous three Board meetings, introduced Document RRB18-1/3, which contained information from the Administration of the United States to the effect that Iridium had successfully launched 10 more satellites since the previous Board meeting, with an additional 25 satellites scheduled for launch in 2018. Measurements of 13 of the new satellites taken between July and October 2017 by the Leeheim Satellite Monitoring Facility appeared to show significant reductions in out-of-band emissions from Iridium NEXT satellites, prompting the administration to believe that continuing deployment of such satellites would lead to additional progress in reducing unwanted emissions. Document RRB18-1/9, from the Administrations of the Czech Republic, Lithuania, the Netherlands, Spain and Switzerland, contained information to the effect that the reduced operational bandwidths and variable traffic loads of Iridium NEXT satellites made it impossible to verify hardware improvements or the predicted amount of reduction in unwanted emissions. The interference threshold level derived from Recommendation ITU-R RA.769 in the RAS band continued to be exceeded by 12 out of the 13 Iridium NEXT satellites measured.

8.2 **Mr Strelets** observed that the two documents unfortunately completely contradicted each other. He pointed out that the satellites concerned were operating in the upper part of the band, starting at 1 621 MHz; the situation would be much worse if they had been operating in the 1 617 MHz band. Moreover, according to Document RRB18-1/9, the current transmission mask indicated no significant improvement in the efficiency of the new satellites. The Administrations of the Czech Republic, Lithuania, the Netherlands, Spain and Switzerland asked the Bureau to consider possible regulatory measures that could be prepared by ITU-R and/or administrations, but what they wanted was not clear; such measures could only be developed by a conference. The Board should urge radio astronomers and the administrations concerned to continue looking for solutions until the entire constellation had been deployed in orbit.

8.3 In reply to questions from the **Chairman, Mr Vallet (Chief SSD)** said that the issue could be seen as related to RR No. 4.6, in that the band concerned was used by the radio astronomy service. That being said, the Administration of the United States had never questioned the validity of ITU-R Recommendations on the protection criteria for that service. In a previous contribution, it had informed the Board that it had included the need to meet those criteria in the licence for the second generation of Iridium satellites. The matter therefore involved more than the mere application of RR No. 4.6. As regards how the measurements had been made, the Leeheim Satellite Monitoring Facility had a large antenna that could measure each satellite separately. The orbital data for the satellites in question were public, and it was therefore possible to ascertain whether a first- or second-generation satellite was being measured. His understanding, based on that data, was that the Monitoring Facility measured only second-generation satellites, which did not use the entire bandwidth. It was important to bear in mind that the United States had adopted a solution that was both technical and operational. From the strictly technical point of view, if Iridium operated the new generation of satellites at 100 per cent capacity non-stop, the radio astronomy service would continue to experience harmful interference. However, the United States had indicated that it had asked Iridium to take operational measures to reduce satellite operations when they were visible to radio telescopes.

8.4 **Mr Khairov** also observed the contradiction between the two documents, but noted that there was now at least a dialogue between radio astronomers and the operator. He appreciated the critical comments and fears expressed in Document RRB18-1/9. There was ample room for radical improvement in the situation. Document RRB18-1/9 should be brought to the attention of the Administration of the United States and the operator, so that they could focus on technical and regulatory solutions with a view to reducing harmful interference to the radio astronomy service once the constellation was fully deployed.

8.5 The **Chairman** noted that some progress had been made: a new generation of networks had been deployed, greatly improving the protection afforded the radio astronomy service. The

operational conditions established by the Administration of the United States for the operator should be taken into account by the other administrations. He suggested that the Board conclude as follows:

“The Board carefully considered the submissions from the Administration of the United States as contained in Document RRB18-1/3 and the Administrations of the Czech Republic, Lithuania, the Netherlands, Spain and Switzerland as contained in Document RRB18-1/9. The Board noted with satisfaction the continued dialogue and cooperation amongst the administrations on this matter. The Board also noted with concern the divergence in the conclusions of both parties on the interference situation caused by the new generation of Iridium satellites to the radio astronomy stations. The Board urged the administrations to continue these efforts and coordinate their interference measurements to provide viable and convergent results. Furthermore, the Board invited the administrations to report on any progress.”

8.6 It was so **agreed**.

9 Submission by the Administration of Germany on the application of Article 48 of the ITU Constitution to the recorded frequency assignments to the INSAT-2(48), INSAT-2M(48), INSAT-2T(48) and INSAT-EK48R satellite networks at 48°E (Documents RRB18-1/7 and RRB18-1/DELAYED/1 and 2)

9.1 **Mr Sakamoto (Head SSD/SSC)** introduced Document RRB18-1/7, containing a request by the Administration of Germany for clarification of the status of the four Indian INSAT networks at 48°E, in regard to which the Administration of India had invoked Article 48 of the ITU Constitution. He also drew attention, for information, to Documents RRB18-1/DELAYED/1 and 2 from the Administrations of Norway and France, respectively, which supported Germany’s submission. Outlining the case, he said that, further to Germany’s initial request in September 2017 for clarification of the status of the networks, the Bureau had informed Germany that it had already requested such clarification from India in 2013, under No. 13.6 of the Radio Regulations, and had pursued the matter no further as India had invoked Article 48. Germany had reiterated its request in January 2018, commenting on the implications of invoking Article 48 and stating that the assignments in question had lapsed long before India had invoked Article 48; that at best only some of the assignments had ever been brought into use; and that publicly available information on the Indian Administration’s website did not suggest military or national defence use. The German Administration had requested that the matter be brought before the Board if the Bureau could not provide the requested clarification. In February 2018, Germany had provided further information to support its assertion that the networks were being used for purposes other than national defence. In response, the Bureau had informed the German Administration that it was not in a position to change its course of action regarding India’s invocation of Article 48, which had been reported to WRC-15, and would submit the matter to the Board for consideration.

9.2 Responding to a query by the **Chairman** regarding the status of the Indian networks between 2011 and the moment at which India had invoked Article 48, and as to whether India had requested suspension of their use, he said that the Bureau had investigated the networks under No. 13.6 in 2013 based on indications that there was no satellite at the orbital position. At that time, the assignments had been recorded in the Master Register with all requirements fulfilled, and there had been no request for suspension.

9.3 **Ms Wilson** said that the crux of the matter lay in whether or not India was using the assignments in question for national defence purposes. However, in light of the decisions taken by WRC-15 in approving §3.2.4.3 of the annex to WRC-15 Document 416 at its 8th plenary meeting, the Bureau had been perfectly correct in its response to Germany’s request for clarification, and the Board could only endorse the Bureau’s response.

9.4 **Ms Jeanty** agreed that the Bureau had acted correctly. Nevertheless, the points made by the German Administration regarding publicly available information gave cause for concern that an administration could too easily invoke Article 48. If questions were raised or information emerged

casting doubt on the legitimate invocation of Article 48 by a given administration, there might be grounds for reopening the investigation under No. 13.6.

9.5 **Mr Ito** endorsed Ms Wilson's comments, and recalled that WRC-15 had ultimately concluded that administrations had to invoke Article 48 explicitly in order for it to apply, and, once they had, their word was final. Thus, invocation of Article 48 assumed complete honesty on the part of administrations. He noted, however, that although §1 of Article 48 was regularly invoked, §3 (CS 204) never was. It might, however, be fully pertinent to the assignments now under consideration, recognizing that if BSS bands were being used, public use was implied. He had considerable sympathy for the concerns raised by Germany, Norway and France. Thought should therefore be given to applying CS 204. If India re-asserted its invocation of Article 48, that response would have to be accepted. Consideration might be given to reporting the case to WRC-19.

9.6 The **Chairman** questioned whether the Bureau should have to stop investigations under No. 13.6 simply because an administration invoked Article 48, especially in the light of CS 204, and notwithstanding the discussions that had taken place at WRC-15. The matter definitely begged the question of whether an administration could tell ITU one thing and make other, contradictory information available elsewhere.

9.7 **Mr Strelets** noted, first, that the Bureau had applied the decisions of the WRC correctly. The entire subject of Article 48, which had been considered by both WRC-12 and WRC-15, was extremely sensitive. While some constellations were used solely for military purposes, others might be used for both military and public services, while others still might be used by government departments but not strictly speaking for military purposes. While there was an obligation to comply with the Radio Regulations, Article 48 could be invoked groundlessly, with potential consequences for coordination. Any party alleging a groundless invocation of Article 48 must nevertheless have proper proof, for example in the form of commercial contracts for the lease of satellite capacity, and could not base its allegations simply on announcements in public media. Moreover, it was somewhat unsavoury that the Administration of Germany was making its allegations retrospectively, rather than when India had first invoked Article 48. Having said that, if a small portion of band was being used for public purposes on a network for which Article 48 had been invoked, the network should be investigated under No. 13.6 in regard to that portion of band. If the German Administration could provide solid evidence of India's misuse of the bands in question, the Bureau could pursue the matter further. Otherwise, he would be against reporting it to the WRC.

9.8 **Mr Kibe** agreed that the Bureau had applied the relevant WRC decisions correctly. Matters relating to invocation of Article 48 were nothing new. Indeed, in a relatively recent case submitted to the Board, Italy had invoked Article 48 in order to have certain cancelled filings reinstated. He would be in favour of raising the matter with the WRC because if, as alleged by Norway, it constituted abuse of Article 48, that ran counter to No. 0.3 of the Radio Regulations and Article 44 of the ITU Constitution, which called for the efficient use of spectrum/orbital resources to the benefit of all humankind, which was of direct concern to the Board. On the other hand, the matter was extremely sensitive, as it involved the sovereignty of administrations, which was sacrosanct. In the present case, the Board could do little more than request Germany to provide evidence to disprove India's claims.

9.9 **Ms Wilson** recalled that in its report to WRC-15 under Resolution 80 (Rev.WRC-07), the Board had raised a series of specific questions related to Article 48, to which the conference had responded. What more could the Board ask the conference? If an administration invoked Article 48, there was nothing much the Bureau or Board could do. Moreover, if an administration was using a system partly for military purposes and partly for public purposes, it might well publish information on its website for the latter, but would never do so for the former.

9.10 **Mr Khairov** said that matters relating to security and Article 48 were of extreme concern and sensitivity for all countries. Nevertheless, based on the information quoted by Germany regarding India's operations at 48°E, there was nothing to prevent the Bureau from asking India to confirm whether or not the spectrum/orbital resources were being used for public purposes. Germany's

allegations raised an essential issue, namely the possibility that an administration could be invoking Article 48 in order to hoard resources it was in fact not using, making those resources and possibly adjacent resources unusable for other administrations.

9.11 Responding to some of the comments made, **Mr Vallet (Chief SSD)** said that Germany had found out only in 2017 that India had invoked Article 48 for the filings under consideration, since invocations of Article 48 were not made public. Thus, Germany had not been in a position to challenge India sooner. Perhaps the Bureau should be instructed by the Board to publish all instances of invocation of Article 48. Second, the information published on official websites might not constitute proof of anything as such, but was surely official enough to be grounds for further investigation if it gave rise to doubts.

9.12 The **Chairman** said that the Board could ask India to provide information on the non-military parts of its networks, if any.

9.13 **Mr Ito** said that the Indian Administration could be asked to confirm whether the information on its website was accurate or not, and he saw no reason not to raise the subject at the WRC a third time, if it was deemed necessary.

9.14 **Mr Strelets** noted that, in their late submissions to the meeting, Norway and France expressed support for Germany's contribution, but did not ask anything specific of the Board. As to Germany's request, the Board could not change the status of India's networks, but could request India to clarify the situation, particularly regarding the publicly available information and its apparent contradiction with invocation of Article 48.

9.15 **Mr Magenta** wondered whether Germany or any other administration had experienced any interference to its networks in the C or Ku bands at 48°E. If it had, there could be solid grounds for questioning India about its invocation of Article 48. He was not convinced that seemingly contradictory information on a website constituted such grounds. He further noted that administrations could have very different interpretations of how Article 48 should be applied. It might be useful to draw up a list of the networks for which administrations had invoked Article 48.

9.16 **Mr Koffi** and **Ms Jeanty** agreed that India should be asked to clarify the information on its website vis-à-vis its invocation of Article 48.

9.17 **Mr Sakamoto (Head SSD/SSC)** said that the problem lay in the fact that there had been no satellite associated with the Indian filings between 2011 and 2017 according to publicly available information – although there had been satellites both before and after. Nor had any suspensions been requested.

9.18 **Mr Hoan** said that the Bureau had acted in full compliance with the decisions of WRC-15 by discontinuing its inquiry as soon as India had invoked Article 48. However, in view of the concerns raised by Germany, Norway and France based on publicly available information, the Bureau could be instructed to ask India to clarify matters.

9.19 **Mr Ito** agreed with Mr Hoan, adding that Article 48 could not be invoked if for a long period no satellite had been operating.

9.20 **Ms Wilson** said that, as India had invoked Article 48, she failed to see what the Board could do other than confirm that the Bureau had acted correctly and leave it up to Germany and India to discuss the matter bilaterally if they so wished. All matters relating to Article 48 were extremely sensitive. Whether or not Article 48 was applicable to India's filings between 2011 and 2017 had no bearing on their present status, which related to whether or not their frequency assignments were recorded in the MIFR and in use in accordance with the registered characteristics. The Bureau and Board could not embark on inquiries asking administrations – which were perfectly entitled to invoke Article 48 for a network – to indicate each specific frequency assignment to which Article 48 was applicable.

9.21 **Mr Strelets** said he agreed to a large extent with Ms Wilson, and again stressed the sensitivity of the matter, which involved both the sovereign rights of administrations and the need to ensure that the provisions of both the Radio Regulations and the Constitution were observed. Invocation of Article 48 could indeed involve abuse, in order to curtail the application of the procedure under No. 13.6. On the other hand, administrations might use networks for military purposes for a certain time, and subsequently for other purposes. Germany was perfectly justified in seeking clarification of India's use of it assignments. In the decision it took, the Board should re-affirm the conditions applicable to invocation of Article 48.

9.22 **Mr Vallet (Chief SSD)** noted that Germany's request did not pertain solely to the present regulatory status of India's assignments, but also to whether those assignments were still valid if there had been no satellite operating them between 2011 and 2017. Only after that period had Article 48 been brought into play.

9.23 The **Chairman** said that the matter hinged upon what did or did not constitute reliable information, which WRC-15 had discussed at some length.

9.24 **Mr Ito** said that, even if India admitted that there had been no satellite at 48°E for a certain period, the Board could not cancel the filings as such action would be retroactive. And if India confirmed that the information it had provided to ITU was correct, again, the Board could take no action. In fact, the Board's hands were tied when it came to preventing abuse in the application of Article 48. Nevertheless, it was very useful to flag the issue, in particular the fact that §2 and §3 of Article 48 were ineffectual, and see how administrations reacted.

9.25 **Ms Jeanty** agreed that India should be asked to clarify the matter. Obviously administrations had particular rights under Article 48, but other rights and obligations under the Radio Regulations had to be observed too. The Board should certainly take the opportunity to flag the issue. Depending on India's response, the Board could see what further action it could take, if any.

9.26 **Ms Wilson** warned against opening Pandora's box. The Board could not retroactively cancel a network that was presently operational. The question would also arise as to whether, in the future, administrations invoking Article 48 should be pressed to provide certain information as soon as other administrations challenged the networks concerned. The Board had to respect administrations' right to invoke the article, along with all decisions relating thereto, which included, for example, no restrictions on class of station and other elements. In response to the present request, the Board should remind the Administrations of Germany, Norway and France of those points, which restricted any related inquiry by the Bureau or Board, while also reminding all administrations of the need for honesty in invoking Article 48. Like the Chairman, she recalled that discussions on reliable information at WRC-15 based on the Board's report under Resolution 80 (Rev.WRC-07) had led to revision of No. 13.6. However, the investigation under No. 13.6 was not to be re-opened in the present case, since reliable information bore out the fact that the assignments in question were being used in accordance with the Radio Regulations.

9.27 **Mr Khairov** said that normally the Bureau did not persist in its investigations if an administration invoked Article 48. The present case, however, was not so straightforward, for the reasons put forward by Germany. He saw good reason to ask India to clarify matters, and the Board should not seek to anticipate what it would do with any response it received.

9.28 **Mr Kibe** agreed that the Board could ask India for additional information, but could take no further action if India re-invoked Article 48. It might be best to remind all administrations that Article 48 should not be misused. The matter was of particular concern to the Board in the light of *resolves* 2 of Resolution 80 (Rev.WRC-07), but he would be against resubmitting it to the WRC as the conference had addressed it twice already. One possibility would be to send a circular letter to all administrations reminding them of the need to observe the spirit of No. 0.3 of the Radio Regulations and Article 44 of the Constitution when invoking Article 48.

9.29 The **Director** said that, in asking India to respond to Germany's comments, the Board could refer both to Article 48, and in particular CS 204, and to the decisions taken by WRC-15, noting that the WRC plenary's decisions had constituted an interpretation of CS 204. In that regard, it was important to note the hierarchy indicated by the ITU Legal Adviser regarding the basic texts of the Union, the Administrative Regulations and WRC decisions, according to which the Constitution took precedence, followed by the Radio Regulations, followed by WRC plenary decisions.

9.30 **Mr Strelets** said that the Board could not revise the status of India's assignments as requested by Germany. The case nevertheless raised the question of what the Board could do when faced with information that networks for which Article 48 had been invoked were in fact being used for non-military purposes. The Board could not enter into discussions of the specific uses of assignments, but could ask the Bureau to clarify matters with the administration concerned. It would indeed be useful to remind all administrations that Article 48 could be invoked solely where military purposes were involved, and to his understanding did not exempt them from ensuring that their submissions complied with the Radio Regulations in terms of technical characteristics, coordination requirements and all deadlines, failing which they should be cancelled. He noted that CS 204 referred to the Administrative Regulations, thus bringing into play the Radio Regulations and ITRs – although in fact the ITRs contained very few references to radio equipment.

9.31 **Ms Wilson** endorsed Mr Strelets's understanding of CS 204.

9.32 The **Chairman** commented that CS 204 was somewhat vague, including the words "in general". It should be understood to exclude inquiry under No. 13.6.

9.33 The **Director** said that various questions had been raised regarding invocation of Article 48, which could usefully be discussed at a future juncture, perhaps by the WRC, including the meaning of "in general", the extent to which invocation of Article 48 might result in exemption from compliance with the Radio Regulations, and the stage at which Article 48 could be invoked, which presumably should exclude retroactivity.

9.34 **Mr Strelets** said that administrations only invoked Article 48 when faced with an investigation under No. 13.6, and not at the initial stage of proceedings.

9.35 Following a brief further discussion, the **Chairman** suggested that the Board conclude as follows:

"The Board discussed in detail the submission from the Administration of Germany on the application of Article 48 of the ITU Constitution as contained in Document RRB18-1/7 and considered for information Documents RRB18-1/DELAYED/1 and RRB18-1/DELAYED/2, and noted that the Bureau acted correctly. The Board recognised that WRC-12 and WRC15 made decisions on the application of Article 48 of the ITU Constitution and the Board further took note of provision 3 of Article 48.

Noting the information provided by the Administration of Germany, the Board decided to instruct the Bureau to invite the Administration of India to respond to the issues that have been raised by the Administration of Germany."

9.36 It was so **agreed**.

9.37 Further to comments by **Mr Strelets**, the **Chairman** said that any further action by the Bureau or Board on the matter raised by Germany would depend on the response received from India.

10 Consideration of issues related to Resolution 80 (Rev.WRC-07) (Document RRB18-1/INFO/1)

10.1 **Ms Wilson**, speaking as the Chairman of the Board's Working Group on Resolution 80 (Rev.WRC-07), drew attention to a spreadsheet she had prepared (RRB18-1/INFO/1) outlining the subjects to be covered by the Board's report under the resolution to WRC-19. The Board having agreed on the outline of the report at its previous meeting, the spreadsheet reviewed, for each section

in the main part of the report, the issues considered by the Board, identifying related cases by Board meeting number, agenda item number, relevant input document, and Board action as specified in the summary of decisions for the meeting concerned. She invited the members of the Board to give their views on that approach and to complete the spreadsheet with the points they considered should be brought to the attention of WRC-19 in respect of each issue.

10.2 **Mr Strelets** noted that the Chairman of the Board's Working Group on Resolution 80 had carried out an enormous amount of analytical work and prepared an extremely useful document for consideration at the meeting. He went on to recall that, under Resolution 80 (Rev.WRC-07), the Board was not required to report on its activities; rather, *resolves* 2 of the resolution instructed the Board to report on its consideration and review of possible draft recommendations and provisions linking the formal notification, coordination and registration procedures with the principles contained in Article 44 of the Constitution and No. 0.3 of the Preamble to the Radio Regulations. For instance, the matter of interference loomed large in the Board's work generally, but was not of great relevance in terms of Resolution 80; the Board's deliberations in that regard might be better raised in the Director's report to WRC-19. He suggested that Ms Wilson coordinate the content of the Board's report under Resolution 80 with the Director, with a view to ensuring that matters regarding the Board's activities that were not related to Resolution 80 were reflected in the corresponding section of the Director's report to WRC-19.

10.3 **Mr Ito** recollected that the original aim of Resolution 80 had been to ensure that developing countries obtained equitable access to the spectrum. Since that objective was idealistic and hard to realize, the WRC had asked the Board to review the matter and demonstrate how it could be achieved. The Board thus had great freedom in terms of the contents of the report. It should continue to bear that original aim in mind.

10.4 **Ms Wilson** said that she saw no difficulty in addressing the concerns expressed by Mr Strelets and Mr Ito. The spreadsheet was intended to serve as a tool, not as an exhaustive list of the Board's activities, and to help identify the obstacles preventing developing countries from having equitable access to the spectrum and orbital resources. For example, the Board's report under Resolution 80 (Rev.WRC-07) to the past two WRCs had helped raise the profile of *force majeure* and co-passenger issues.

10.5 The **Chairman** agreed that the aim of Resolution 80 was to attain the Union's ideal objectives under Article 44 of the Constitution and No. 0.3 of the Preamble to the Radio Regulations. The conference had therefore asked the Board to review points relating to frequency notification, coordination and registration procedures that could stand in the way of attaining those objectives. It was in that context that the Board, at previous WRCs, had provided its point of view on issues giving rise to regular debate in the various ITU-R study groups and working parties, an approach he said had been welcomed by administrations. The Board should continue to give its views on such matters, and the spreadsheet contained in Document RRB18-1/INFO/1 should be completed in that light.

10.6 **Mr Strelets**, referring to the need for transparency in the Board's work, suggested that administrations should be given access to Document RRB18-1/INFO/1 via the TIES platform.

10.7 **Ms Wilson** proposed to make a draft of the report available to Board members in time for the Board's 80th meeting. That draft would subsequently (i.e. well in advance of WRC-19) be made available to administrations, which would be invited to provide comments for the Board's 81st meeting, at which the Board would finalize the report.

10.8 It was so **agreed**.

10.9 The Board **agreed** to conclude on the matter as follows:

"The Board decided that the Working Group on Resolution 80 (Rev.WRC-07) would prepare a preliminary draft of its report to WRC-19 under Resolution 80 (Rev.WRC-07) for consideration at the 79th meeting. The Board agreed to work by correspondence and to continue the approach of systematically analysing the issues that the Board has faced since WRC-15 affecting the fulfilment

of the principles contained in Article 44 of the Constitution and No. 0.3 of the Preamble to the Radio Regulations and identifying possible solutions. The Board thanked Ms J. WILSON for the work done on this matter.”

11 RRB participation in the 2018 plenipotentiary conference and the 2018 World Radiocommunication Seminar

11.1 The Board, having regard to No. 141A of the ITU Convention, **agreed** that Mr Bessi and Mr Strelets would represent the Board at the 2018 plenipotentiary conference.

11.2 The Board **further agreed** that Mr Kibe would represent the Board at the 2018 World Radiocommunication Seminar.

12 Confirmation of the dates of the next meeting and indicative dates for subsequent meetings

12.1 The Board **agreed** to confirm the dates of its next, 78th meeting as 16-20 July 2018.

12.2 Recognizing that it would be up to the Board’s full membership as elected at PP-18 to decide the dates of its 81st and subsequent meetings, the Board **further agreed** to tentatively confirm the following dates for its 79th to 82nd meetings:

79th meeting 26-30 November 2018

80th meeting 18-22 March 2019

81st meeting 1-10 July 2019

82nd meeting 7-11 October 2019

13 Approval of the summary of decisions (Document RRB18-1/10)

13.1 The Board **approved** the summary of decisions as contained in Document RRB18-1/10.

14 Closure of the meeting

14.1 **Mr Magenta** and **Mr Strelets** paid tribute to Mr Bessi for his extremely able handling of his first meeting as Chairman of the Board.

14.2 The **Chairman** thanked everyone who had contributed to the success of the present meeting. He closed the meeting at 1130 hours on Friday, 23 March 2018.

The Executive Secretary:
F. RANCY

The Chairman:
M. BESSI