



MINUTES*
OF THE
92nd MEETING OF THE RADIO REGULATIONS BOARD
20–24 March 2023

Present: Members, RRB

Mr E. AZZOUZ, Chairman
Mr Y. HENRI, Vice-Chairman
Mr A. ALKAHTANI, Ms C. BEAUMIER, Mr J. CHENG,
Mr M. DI CRESCENZO, Mr E.Y. FIANKO, Ms S. HASANOVA,
Mr A. LINHARES DE SOUZA FILHO, Ms R. MANNEPALLI,
Mr R. NURSHABEKOV, Mr H. TALIB

Executive Secretary, RRB

Mr M. MANIEWICZ, Director, BR

Précis-writers

Ms C. RAMAGE and Ms S. MUTTI

Also present:

Ms J. WILSON, Deputy Director, BR and Chief IAP
Mr A. VALLET, Chief, SSD
Mr X. LAURENSEN, acting Head, SSD/SPR
Mr M. SAKAMOTO, Head, SSD/SSC
Mr J. WANG, Head, SSD/SNP
Mr N. VASSILIEV, Chief, TSD
Mr B. BA, Head, TSD/TPR
Mr K. BOGENS, Head, TSD/FMD
Ms I. GHAZI, Head, TSD/BCD
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 92nd meeting of the Board. The official decisions of the 92nd meeting of the Radio Regulations Board can be found in Document RRB23-1/15.

Subjects discussed	Documents
1 Opening of the meeting	-
2 Election of the chairman and vice-chairman of the Board and of its working groups	-
3 Adoption of the agenda	RRB23-1/OJ/1(Rev.1) RRB23-1/DELAYED/2 RRB23-1/DELAYED/3 RRB23-1/DELAYED/4 RRB23-1/DELAYED/5 RRB23-1/DELAYED/6 RRB23-1/DELAYED/7 RRB23-1/DELAYED/8
4 Report by the Director, BR	RRB23-1/6(Rev.1) RRB23-1/6(Add.1) RRB23-1/6(Add.2) RRB23-1/6(Add.3) RRB23-1/6(Add.4) RRB23-1/6(Add.5) RRB23-1/6(Add.7) RRB23-1/6(Add.8) RRB23-1/6(Add.9) RRB23-1/6(Add.10)
5 Rules of Procedure	
5.1 List of Rules of Procedure	RRB23-1/1 RRB20-2/1(Rev.8) RRB23-1/6(Add.6)
6 Request for the cancellation of the frequency assignments to satellite networks under No. 13.6 of the Radio Regulations	
6.1 Request for a decision by the Radio Regulations Board for the cancellation of the frequency assignments to the SNUGLITE satellite network under No. 13.6 of the Radio Regulations	RRB23-1/4
7 Issues and requests relating to the extension of regulatory time-limits to bring or to bring back into use frequency assignments to satellite networks	
7.1 Submission by the Administration of Cyprus requesting an extension of the regulatory time-limits to bring into use the frequency assignments to the CYP-30B-59.7E-3 satellite network and to bring back into use the frequency assignments to the CYP-30B-59.7E and CYP-30B-59.7E-2 satellite networks	RRB23-1/8
7.2 Submission by the Administration of the Islamic Republic of Iran requesting an extension of the regulatory time-limit to bring back into use the frequency assignments to the IRANSAT-43.5E satellite network	RRB23-1/10 RRB23-1/DELAYED/1

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| 7.3 | Submission by the Administration of Indonesia requesting an extension of the regulatory time-limit to bring into use the frequency assignments to the NUSANTARA-H1-A satellite network | RRB23-1/11 |
| 7.4 | Submission by the Administration of Indonesia requesting an extension of the regulatory time-limit to bring into use the frequency assignments to the PSN-146E satellite network | RRB23-1/12 |
| 7.5 | Submission from the Administration of Papua New Guinea requesting an extension of the regulatory time-limit to bring into use the frequency assignments to the MICRONSAT satellite system | RRB23-1/13 |
| 8 | Cases of harmful interference | |
| 8.1 | Submission from the Administration of the United Kingdom of Great Britain and Northern Ireland regarding harmful interference to emissions of United Kingdom high frequency broadcasting stations published in accordance with RR Article 12 | RRB23-1/9 |
| 9 | Submission by the Administration of Lithuania regarding a request to reassess the findings of its frequency assignments recorded in the MIFR in cases where Article 48 of the ITU Constitution had been invoked | RRB23-1/2 |
| 10 | Submission by the Islamic Republic of Iran regarding the provision of Starlink satellite services in its territory | RRB23-1/7 |
| 11 | Submission by the Administration of Liechtenstein requesting the application of <i>resolves</i> 12 of Resolution 35 (WRC-19) to the frequency assignments to the 3ECOM-1 and 3ECOM-3 satellite systems | RRB23-1/14
RRB23-1/14(Corr.1) |
| 12 | Report by the Radio Regulations Board to WRC-23 on Resolution 80 (Rev.WRC-07) | RRB23-1/5(Rev.1) |
| 13 | Confirmation of the next meeting for 2023 and indicative dates for future meetings | - |
| 14 | Other business | - |
| 15 | Approval of the summary of decisions | RRB23-1/15 |
| 16 | Closure of the meeting | |

1 Opening of the meeting

1.1 **Mr Azzouz**, who had been appointed interim chairman by the Radio Regulations Board at its 91st meeting, opened the 92nd meeting at 1400 hours on Monday, 20 March 2023 and welcomed the participants. He congratulated all Board members on their election or re-election to the Board and Mr Maniewicz on his re-election as Director of the Radiocommunication Bureau (BR). He looked forward to working with everyone as one team and thanked the members in advance for their support.

1.2 He reminded all Board members that, in line with Article 98 of the Convention, they were expected to refrain from intervening in decisions directly concerning their respective administration, including with regard to delayed contributions.

1.3 The **Director**, speaking also on behalf of the Secretary-General, said that it was a pleasure to address the new Board and congratulated the members on their election or re-election. The Board played a key role in interpreting the Radio Regulations (RR) between world radiocommunication conferences and in resolving disagreements between administrations; to that end, it could count on the full support of the Bureau. While all documents were made available in the Union's six official languages, for cost reasons interpretation services were provided only in the Board's working languages, which were currently French, English and Russian.

2 Election of the chairman and vice-chairman of the Board and of its working groups

2.1 **Mr Azzouz** said that, further to informal consultations that morning, it was proposed that he serve as chairman and Mr Henri as vice-chairman of the Board in 2023.

2.2 It was so **agreed**.

2.3 The **Chairman** said that, also further to informal consultations, it was proposed that Mr Henri serve as chairman and Ms Hasanova as vice-chairman of the Board's Working Group on the Rules of Procedure in 2023, and that Ms Beaumier serve as chairman of the Board's Working Group on the Report on Resolution **80 (Rev.WRC-07)** during the term of the current Board.

2.4 It was so **agreed**.

3 Adoption of the agenda (Documents RRB23-1/OJ/1(Rev.1), RRB23-1/DELAYED/1; RRB23-1/DELAYED/2, RRB23-1/DELAYED/3, RRB23-1/DELAYED/4, RRB23-1/DELAYED/5, RRB23-1/DELAYED/6, RRB23-1/DELAYED/7, RRB23-1/DELAYED/8)

3.1 For the benefit of the new Board members, **Mr Botha (SGD)** explained that the secretariat processed all delayed submissions irrespective of whether they had been received in compliance with Part C of the Rules of Procedure on the internal arrangements and working methods of the Radio Regulations Board.

3.2 Document RRB23-1/DELAYED/1 was a submission from the Administration of the Islamic Republic of Iran under agenda item 7.2. While the original submission had been received by the deadline, its attachments contained indications that some of the information set out therein was confidential. When the Bureau had asked for permission to publish that information, the administration had realized that it did not have the third-party agreement to do so. It had removed the attachments and resubmitted the contribution within the deadline, and had subsequently resubmitted the attachments as RRB23-1/DELAYED/1.

3.3 Document RRB23-1/DELAYED/2 had been received from the Administration of China in response to the contribution from the Administration of the United Kingdom under agenda item 8.1. The document had been received on time but in Chinese only, in contravention of No. **1.6** of Part C

of the Rules of Procedure. The English translation subsequently provided by the Administration of China in Document RRB23-1/DELAYED/7 had been received after the deadline and differed slightly from the Chinese original. The Administration of China had not replied to queries as to whether RRB23-1/DELAYED/7 was a replacement of RRB23-1/DELAYED/2. The Board might wish to consider both documents for information.

3.4 Document RRB23-1/DELAYED/5, from the Administration of Belarus, while it did not refer to Document RRB23-1/2 from the Administration of Lithuania, also concerned a request to clarify the application of the provisions of Article 48 of the ITU Constitution (CS) and the Board might therefore wish to consider it under agenda item 9. It had been received after the deadline of 10 March 2023 for the submission of contributions commenting on submissions by other administrations.

3.5 With regard to agenda item 11, Documents RRB23-1/DELAYED/3 and RRB23-1/DELAYED/4 had been submitted after the deadline of 10 March 2023 by the Administrations of France (in French only) and Germany, respectively, in response to Document RRB23-14 from the Administration of Liechtenstein. Documents RRB23-1/DELAYED/8 and RRB23-1/DELAYED/6 had subsequently been received from the Administration of Liechtenstein in response and within the deadline established for such responses.

3.6 **Ms Beaumier** said that, since Document RRB23-1/DELAYED/5 was not directly related to agenda item 9 and there was no urgency in dealing with the CS Article 48 issue that it raised at the present meeting, its consideration should be deferred to the next meeting.

3.7 **Ms Mannepalli, Ms Hasanova, Mr Talib, Mr Henri and Mr Cheng** agreed.

3.8 Referring to agenda item 11, **Mr Cheng** noted that *resolves* 12a) of Resolution **35 (WRC-19)** stipulated that the Bureau should report to the Board at the latter's second meeting in 2023, to give administrations three months to comment. Consideration of the four delayed documents received under that agenda item should therefore be deferred to that meeting.

3.9 Regarding Documents RRB23-1/DELAYED/2 and RRB23-1/DELAYED/7, which had been received in Chinese and English, respectively, **Ms Beaumier** said that it was unclear which document was the right version and that consideration of both should therefore be deferred to the next meeting.

3.10 **Mr Linhares de Souza Filho and Mr Fianko** agreed.

3.11 Referring to the four delayed documents received under agenda item 11, **Ms Beaumier** pointed out that, while Documents RRB23-1/DELAYED/3 and RRB23-1/DELAYED/4 had clearly been received after the deadline, the points raised in Document RRB23-1/DELAYED/4 would be moot if consideration of the document was deferred to the next meeting. The situation was one in which it did not make a great deal of sense to defer the discussion. She could agree to consider the document on an exceptional basis noting that the questions raised in the document would be discussed in any event.

3.12 **Mr Cheng** said that Documents RRB23-1/DELAYED/3 and RRB23-1/DELAYED/4 were both relevant to Document RRB23-1/14 and should therefore be discussed together with it. It might be best to defer consideration of all three documents to the next meeting.

3.13 In reply to a query from **Mr Fianko**, **Mr Henri** said that, as a matter of principle, as indicated in the Rules of Procedure on internal arrangements and working methods of the Radio Regulations Board, the substance of delayed documents was considered for information only. Both Documents RRB23-1/DELAYED/4 and RRB23 1/DELAYED/3 were commenting on issues related to *resolves* 12 of Resolution **35 (WRC-19)**, but had been received after the 10-day deadline before the start of the meeting, and Document RRB23 1/DELAYED/3 had been received in French only. Similarly to the decision on the documents received from the Administration of China that had been

deferred on the basis of language, but also because of the non-observance of the 10-day deadline, both delayed documents from France and Germany should be deferred to the next meeting.

3.14 The **Director** said that there were two possible cases. In the first, if a document referred to an issue that was not on the agenda and arrived after the deadline, its consideration was deferred to the next meeting. If it referred to an issue that was in any case going to be discussed, it was not helpful to totally ignore the points that it made. It was then considered for information only.

3.15 **Mr Linhares de Souza Filho** said that all four delayed documents under agenda item 11 would affect the final outcome of the discussion.

3.16 The draft agenda was **adopted** as amended in Document RRB23-1/OJ/1(Rev.1). The Board decided to consider Document RRB23-1/DELAYED/1 under agenda item 7.2. It further decided to defer consideration of Documents RRB23-1/DELAYED/2, RRB23-1/DELAYED/3, RRB23-1/DELAYED/4, RRB23-1/DELAYED/5 and RRB23-1/DELAYED/7 to its 93rd meeting, as those submissions had not been received in conformity with No. 1.6 of Part C of the Rules of Procedure on the internal arrangements and working methods of the Radio Regulations Board. The Board also **decided** to defer consideration of Documents RRB23-1/DELAYED/6 and RRB23-1/DELAYED/8 to its 93rd meeting, as those documents had been received in response to Documents RRB23-1/DELAYED/4 and RRB23-1/DELAYED/3, respectively. The Board **instructed** the Bureau to add those deferred documents to the agenda of its 93rd meeting.

4 Report by the Director, BR (Documents RRB23-1/6(Rev.1) and Addenda 1 to 5 and 7 to 10)

4.1 The **Director** introduced his customary report in Document RRB23-1/6(Rev.1). Referring to § 1, on actions arising from the last RRB meeting, he drew attention to § 7.1 of Annex 1. After several years of efforts by the Board and of discussions between the notifying administrations as well as satellite operators of the ARABSAT and TURKSAT satellite networks, an agreement had been signed by both satellite operators and ratified by the Administrations of Türkiye and Saudi Arabia. The Board should be pleased with the outcome.

4.2 Referring to § 4.2, on harmful interference to broadcasting stations in the VHF/UHF bands between Italy and its neighbouring countries, he said that, as indicated in the roadmap of actions (Addendum 2), the Administration of Italy considered the situation in the UHF band to be resolved and requested that the band be removed from the treatment of harmful interference cases in future Board meetings. The Bureau was in general agreement with such an approach since the situation had improved a great deal and isolated interference cases could be resolved on an ad hoc basis.

4.3 In order to provide the Board with the most up-to-date statistics, information that would normally be included in the body of the report had been set out in Addenda 4 and 7.

Actions arising from the last RRB meeting (§ 1 of Document RRB23-1/6(Rev.1) and Annex 1)

4.4 The Board **noted** § 1 and Annex 1 to Document RRB23-1/6(Rev.1), on actions arising from the decisions of the 91st Board meeting.

Processing of filings for terrestrial and space systems (§ 2 of Document RRB23-1/6(Rev.1) and Annexes 2 and 3)

4.5 **Mr Vassiliev (Chief, TSD)**, referring to Annex 2 to Document RRB23-1/6(Rev.1), on the processing of notices to terrestrial services, drew attention to the tables contained therein.

4.6 Responding to a question from **Ms Beaumier** concerning Table A2-4, he said that the periodic surges in the number of terrestrial assignments received under Article 11 were due to the fact

that certain countries tended to send large batches of frequency assignments to stations in the fixed and mobile services to the Bureau for processing.

4.7 **Mr Vallet (Chief, SSD)** drew attention to the tables on the processing of notices for satellite networks set out in Annex 3 to Document RRB23-1/6(Rev.1).

4.8 The Board **noted** § 2 of Document RRB23-1/6(Rev.1), on the processing of filings for terrestrial and space systems.

Implementation of cost recovery for satellite network filings (§ 3 of Document RRB23-1/6(Rev.1) and Annex 4)

4.9 The Board **noted** §§ 3.1 and 3.2 of Document RRB23-1/6(Rev.1), on late payments and Council activities, respectively, with regard to the implementation of cost recovery for satellite network filings.

Harmful interference to broadcasting stations in the VHF/UHF bands between Italy and its neighbouring countries (§ 4.2 and Addenda 2, 3 and 5 to Document RRB23-1/6(Rev.1))

4.10 **Mr Vassiliev (Chief, TSD)**, outlining the background to the long-standing issue between Italy and its neighbouring countries for the benefit of the new members of the Board, recalled that the Bureau facilitated an annual coordination meeting between Italy and neighbouring countries when different priority lists were established and that all parties were encouraged to coordinate frequencies.

4.11 Addendum 2 contained an updated roadmap from the Administration of Italy, which reported on progress with respect to TV, DAB and FM broadcasting since October 2022. With respect to TV broadcasting in the UHF band, almost all channels that had previously generated interference had been liberated. There were no longer cases of cross-border interference, with the exception of an isolated case reported by the Administration of Croatia that had been promptly addressed. The Administration of Italy therefore proposed that the issue of TV interference should be considered as resolved and should no longer be examined by the Board. Regarding DAB broadcasting in VHF Band III, there had been no significant progress towards the conclusion of the Adriatic-Ionian DAB agreement owing to cross-border coordination problems between the Administrations of Albania and North Macedonia and to the Administration of Slovenia's position on the signing of that agreement. Concerning the interference cases on blocks 12 A-D generated by Italy to Slovenia and Croatia, he said that for the stations on block 12A, the Administration of Italy had found free resources in the blocks already allocated to Italy by the GE06 Plan. It had also proposed a temporary solution to move the other interfering stations to blocks 7C and 7D, but the Administrations of Slovenia and Croatia had objected, insisting that the Italian Administration should use the frequency resources allocated to it under the GE06 Plan. With regard to FM broadcasting in VHF Band II, he noted that many stations were operating on uncoordinated frequencies. However, as the GE84 Plan was so crowded, the Italian Administration considered it unrealistic to be able to coordinate and register a significant number of Italian stations. Given the important social, cultural and economic implications of FM broadcasting, the Italian Government had established a national working group to consider other options, such as a compensation system or migration to DAB, but such approaches would require legislative action and financial resources. The roadmap concluded with the administration's summary of cross-border cases between Italy and France, Switzerland, Slovenia, Croatia and Malta.

4.12 Addendum 3 contained an update from the Administration of Slovenia on the situation concerning DAB interference. The administration objected to the Italian Administration's proposal to use DAB blocks 7C and 7D to replace the uncoordinated blocks on channel 12, since that would represent a move from one uncoordinated frequency to another, and suggested that Italy should use its rights on channels 5, 8 and 9. Furthermore, its measurements suggested that Italy was already using the uncoordinated DAB blocks 7C and 7D close to the border with Slovenia without obtaining

any agreement. The Italian Administration's failure to seek agreement and coordination with respect to FM frequencies had resulted in hundreds of interference cases over many years, none of which had been eliminated.

4.13 Addendum 5 contained an update in which the Administration of Croatia noted that, although the situation with respect to TV broadcasting had changed, Italian TV broadcasting stations operating on channel 22 were interfering with Croatian assignments. There had been no improvement in the harmful interference situation with respect to Croatian sound broadcasting stations, and uncoordinated operation of Italian T-DAB stations had continued to be detected.

4.14 **Mr Talib** welcomed the encouraging development with respect to TV broadcasting and urged the parties concerned to continue their coordination efforts to reach similar agreements with respect to DAB and FM sound broadcasting stations.

4.15 **Ms Beaumier** said that she was pleased to learn that there were no major outstanding cases of harmful interference to TV broadcasting stations and that the Italian Administration had been able to resolve any issues that had occurred since the Board's previous meeting. She could therefore agree that there was no need for the Board's continued consideration of that issue provided that any cases that arose were properly addressed.

4.16 With regard to DAB broadcasting, she said that, while she appreciated the efforts and proposals of the Italian Administration to resolve the cases of harmful interference, she had some sympathy for the Administration of Slovenia's position regarding the use of blocks 7C and 7D as a temporary solution, particularly if the Italian Administration could use other unused channels assigned to it, and asked whether that was indeed the case. There was, however, no doubt that the Italian Administration should not permit the use of blocks 7C and 7D without coordination with neighbouring countries. The Board should encourage the parties concerned to reach a common understanding of how the ITU rules should be interpreted and applied in order to solve the deadlock preventing the parties from concluding the Adriatic-Ionian DAB agreement.

4.17 With regard to FM sound broadcasting, she said that, while she was pleased to learn that the national working group had started its activities, the Administration of Italy had not provided a detailed action plan for implementation of the working group's activities with clearly defined milestones nor a firm commitment to its implementation, as it had been requested to do by the Board at its previous meeting. The information about the mandate and scope of the working group was useful, but a status report on the work carried out so far and the key timelines for the working group's activities and for implementation of their recommendations would also be appreciated. Although the Board did not expect Italy to cease all its FM transmissions to resolve the issue, there was an expectation that all uncoordinated Italian stations that caused interference to coordinated stations of other countries should cease or modify their operations to eliminate interference. Furthermore, Italy should focus on using the frequencies assigned to it under the GE06 Plan. Although it was encouraging that the Italian Government had initiated discussions with operators, its lack of clear commitment to discuss cross-border issues was disappointing. In its conclusion, the Board should reiterate much of its decision at its previous meeting.

4.18 **Mr Fianko** agreed that the Board should reiterate its request for further information about timelines concerning the activities of the national working group. With regard to TV broadcasting, he noted the Italian Administration's view that the possible interference reported by Croatia on certain channels was attributed to stations outside the coordination area. If that were the case, he sought clarification from the Bureau as to what could be done to resolve the interference.

4.19 **Mr Vassiliev (Chief, TSD)**, responding to questions, said that according to the Administration of Slovenia, Italy had rights under the GE06 Plan on channels 5 and 8 in addition to channel 9 and Slovenian measurements near the border showed that those channels were free.

However, in the GE06 Agreement, the channels were recorded as allotments to Croatia, meaning that Croatia also had rights on those channels. Slovenia's suggestion was not technically justified and it was not clear if use of the channels by Italy would cause interference to stations brought into operation in the future by other countries. The Bureau could theoretically calculate the effect on other countries of Italy's shift to the new channels if it had the characteristics of real stations but had received no request for assistance in that regard.

4.20 **Ms Ghazi (Head, TSD/BCD)** said that the Administration of Italy had yet to provide a timeline and action plan for the stations to be moved from FM to DAB. The national working group was expected to produce output such as recommendations, which would not be binding. The Bureau would be unable to perform calculations or simulations without exact stations and plans, and the measurements undertaken by administrations concerned would be more accurate than the Bureau's calculations. Coordination areas were understood to be zones coordinated by the parties concerned defined as buffer zones. Italy had started to modify the plan and submit what had been coordinated. However, without information on the station or allotment, and the agreed coordination areas, the Bureau was unable to check conformity and confirm that the signal levels were not from stations inside the coordination areas.

4.21 **Mr Linhares de Souza Filho** said that, in order to resolve the long-standing interference issue, the parties might have to think outside the box. He recalled action taken by Brazil with the cooperation of the broadcasting sector to review the protection relation and update FM regulations based on laboratory tests with recent receivers, thus making more channels available for use without affecting coverage. Such an approach might be useful in the present case.

4.22 The **Chairman** said that such an approach could not be imposed on the parties but might be discussed in their multilateral meetings.

4.23 **Ms Mannepalli**, observing that the cases of harmful interference relating to television broadcasting stations appeared close to resolution following persistent efforts by the Board, the Bureau and the administrations concerned, said that the issue should nevertheless remain under the Board's consideration pending further information on the coordination area. A technical solution was required to resolve the cases of harmful interference to DAB and FM broadcasting stations.

4.24 **Ms Hasanova** observed that the Board had been discussing the same issues for a number of years, yet limited progress had been made. In its conclusion, the Board should once again encourage Italy to take all necessary measures to eliminate harmful interference to its neighbouring countries and provide an updated roadmap setting out the precise timeline in that regard.

4.25 **Mr Vassiliev (Chief, TSD)**, responding to a question from **Mr Talib**, said it was for the Board to decide whether or not to agree to the Italian proposal to remove the UHF band from its treatment of harmful interference cases at future meetings. He noted, however, that there had been tangible progress in the resolution of TV interference issues with the number of neighbouring countries experiencing such interference having decreased from 12 in 2011 to 1 or 2 at present. In addition to obligations under the GE06 Agreement, all CEPT countries had strong enforcement mechanisms to resolve cases of harmful interference and were obliged to implement them. Removing the issue from the Board's consideration would also send a positive signal to the Administration of Italy. The remaining isolated cases of TV interference had been detected and resolved quickly by the administration.

4.26 The **Director** agreed that the Board should acknowledge progress made by the Administration of Italy in resolving cases of harmful interference relating to TV broadcasting stations. It was not for the Board to resolve the technical issues; it should encourage the Administration of Italy to use all the technical and regulatory measures at its disposal to resolve the outstanding issues.

4.27 **Ms Beaumier** said that she was unsure whether the Board needed to maintain oversight of and receive updates about isolated cases of TV interference that might arise, especially if the administration affected was not expressing particular concerns. In its conclusion, the Board should signal the good progress being made and encourage a focus on interference to DAB and FM sound broadcasting stations.

4.28 The **Chairman** proposed that the Board conclude on the matter as follows:

“The Board considered in detail § 4.2 of Document RRB23-1/6(Rev.1) and Addenda 2, 3 and 5 thereto, on harmful interference to broadcasting stations in the VHF/UHF bands between Italy and its neighbouring countries. The Board noted with satisfaction the considerable progress in resolving cases of harmful interference relating to television broadcasting stations, resulting in very few cases remaining to be resolved, and expressed its gratitude to the Administration of Italy and the neighbouring administrations for their efforts in that regard.

However, based on the reports from neighbouring countries of Italy, the Board again regretted the severe lack of progress towards resolving cases of harmful interference to digital audio broadcasting stations and the very long-standing cases involving FM sound broadcasting stations. The Board strongly urged the Administration of Italy to take all necessary measures to eliminate harmful interference to the digital audio broadcasting and FM sound broadcasting stations of its neighbouring countries, focusing on the priority list of FM sound broadcasting stations. Furthermore, the Board reiterated its request to the Administration of Italy that it provide a detailed action plan for implementation of the activities of the recently established Working Group on the FM frequency band, with clearly defined milestones and timelines, that it give a firm commitment for its implementation and that it report to the Board on progress on its implementation. The Board invited the administrations concerned to participate actively in the annual coordination meeting scheduled for June 2023.

The Board expressed its appreciation to the Bureau for the support provided to the administrations concerned and instructed the Bureau to:

- continue providing assistance to the administrations concerned;
- report on progress on the matter to the next Board meeting.”

4.29 It was so **agreed**.

Implementation of Nos. 9.38.1, 11.44.1, 11.47, 11.48, 11.49, 13.6 and Resolution 49 (Rev.WRC-19) of the Radio Regulations (§ 5 of Document RRB23-1/6(Rev.1))

4.30 The Board **noted** § 5 of Document RRB23-1/6(Rev.1), on the implementation of Nos. **9.38.1, 11.44.1, 11.47, 11.48, 11.49, 13.6** and **Resolution 49 (Rev.WRC-19)** of the Radio Regulations.

Review of findings for frequency assignments to non-GSO FSS satellite systems under Resolution 85 (WRC-03) (§ 6 of Document RRB23-1/6(Rev.1))

4.31 **Mr Vallet (Chief, SSD)** drew attention to Table 8 of Document RRB23-1/6(Rev.1), on the status of the Article 22 EPFD review.

4.32 In reply to questions from **Mr Henri** and **Mr Cheng**, he said that, while it might appear that fewer satellite systems were being examined than in the past, as indicated in Table 8, a series of systems notified by the same operator in October 2019 was currently being examined; all the systems would be published together. The situation would then return to normal in terms of the number of systems examined between Board sessions. Furthermore, the examination of the USASAT-NGSO-3D system had been completed since the issuance of the Director’s report and the system would be published in a forthcoming BR IFIC. Examination of the STEAM-2B system was taking longer than expected because some administrations had objected to the analysis of the Administration of Norway

to the effect that there was no need to change the date of priority. In reply to a suggestion from **Mr Cheng**, he confirmed that the Bureau would in future mention all modifications to satellite system filings in Table 8, so that Board members would have a clear idea of which satellite systems had been modified and how many modifications they had undergone.

4.33 The Board **noted** § 6 of Document RRB23-1/6(Rev.1), on the review of findings to frequency assignments to non-GSO FSS satellite systems under Resolution **85 (WRC-03)** and **instructed** the Bureau to highlight modifications received to satellite system filings in Table 8 (“Status of Article 22 EPFD review”) of future reports.

Implementation of Resolution 35 (WRC-19) (§ 7 of Document RRB23-1/6(Rev.1))

4.34 **Mr Vallet (Chief, SSD)**, introducing § 7 of Document RRB23-1/6(Rev.1), drew attention to Table 9, which presented the status of Resolution **35 (WRC-19)** submissions. As indicated therein, four satellite systems had now completed their deployment (M3), five were at milestone M1, and 17, including 3ECOM-1 and 3ECOM-3, which would be discussed later in the meeting, were at the initial deployment stage (M0). Table 10 listed the number of satellites deployed and the frequency bands used. For the HIBLEO-2FL and HIBLEO-2FL2 satellite systems, 75 space stations were deployed while 66 had been notified, since nine were in-orbit spares. The effects of Resolution **35** were beginning to be seen. It was becoming clear, however, that some satellite systems would not be able to move beyond milestone M1 and their size would be adjusted accordingly. The Bureau would provide a more detailed report to the Board’s 93rd meeting.

4.35 He drew attention to a modification to the existing coordination request for the CLEOSAT satellite system received from the notifying administration (Luxembourg) to add two orbital planes, only one of which (Ka-band) was covered by Resolution **35**. An enquiry under RR No. **13.6** to clarify the actual frequency bands on board the satellites was ongoing and the Bureau would report to the Board on the results.

4.36 **Mr Henri** said that he was surprised to note that some of the submissions for milestone M1 did not include any satellites. *Resolves* 11a) of Resolution **35 (WRC-19)** would therefore apply.

4.37 **Ms Beaumier** said that the Board’s report under Resolution **80 (Rev. WRC-07)** to WRC-23 contained a section indicating the Board’s view that the practice of introducing a completely different orbital plane that was not foreseen to be required for operation of the constellation raised the issue of spectrum and orbit reservation and efficient use of frequencies in the non-geostationary orbit. She asked if any conclusions had been drawn by the Bureau in its enquiry concerning the bands not subject to Resolution **35 (WRC-19)**, i.e. the L, S, C and X bands.

4.38 **Mr Vallet (Chief, SSD)**, responding to questions from **Mr Henri**, **Ms Beaumier** and **Mr Cheng**, said that, with regard to the status of the No. **13.6** enquiry, the Administration of Luxembourg had provided information on the satellites used and the Bureau had noticed that one satellite had already been used to bring into use another filing. The administration had indicated that it had no other satellite to bring into use the Ka-band, and the Bureau had informed the Administration of Luxembourg that it would be suppressing the Ka-band from the filing. The suppression would be published before the July meeting of the Board, so the Board would have a concrete example for its report under Resolution **80 (Rev. WRC-07)**. With regard to the frequency bands not covered by Resolution **35 (WRC-19)**, the Administration of Luxembourg had provided information on the satellites and the frequency bands on board. The Bureau would submit that information to the next meeting of the Board and invite the Board to consider any measures to be taken. Certain satellite systems appeared more than once in Table 9 because they used different frequency bands submitted at different times. Table 10 listed the satellite systems that had been published and was updated only after verification by the Bureau; Table 9, however, was updated on receipt of information.

4.39 The **Chairman**, noting that it would be useful to indicate the frequency bands concerned in Table 9, suggested that the Board should conclude on the matter as follows:

“The Board noted § 7 of Document RRB23-1/6(Rev.1), on progress towards implementation of Resolution **35 (WRC-19)**, and instructed the Bureau to:

- continue reporting to future Board meetings on progress towards implementation of Resolution **35 (WRC-19)**;
- add the frequency bands used by each satellite system to Table 9 (“Status of Resolution 35 submissions”).”

4.40 It was so **agreed**.

Statistics on Resolution 40 (Rev.WRC-19) (§ 8 of Document RRB23-1/6(Rev.1))

4.41 **Mr Vallet (Chief, SSD)**, introducing § 8 of Document RRB23-1/6(Rev.1), said that it contained three tables. The first indicated the number of Resolution **40** submissions against the number of orbital positions at which a Resolution **40** satellite had been previously used (in over 80 per cent of cases, the number of positions was 0 or 1). The second table contained, pursuant to the request made by the Board at its previous meeting, additional information on the notifying administration of the satellite networks concerned and the number of Resolution **40** cases it had submitted. The third, also pursuant to the Board’s request, contained information on cases where a single administration had sequentially used a single satellite to bring into use (or bring back into use) several of its satellite networks; and on satellite networks that had repeatedly (more than five times) been brought into use and brought back into use with a satellite that had remained at the orbital position for a minimum period of time.

4.42 In reply to a question from the **Chairman**, he said that in the three cases where no “out” date was provided in the third table, either the satellite concerned was still in the orbital position indicated or had been moved to a position where it had not been reused in connection with Resolution **40 (Rev.WRC-19)**.

4.43 In reply to a question from **Ms Hasanova** about the indication in the third table that the KYPROS-ORION satellite, for example, had been relocated 12 times on two separate occasions, he explained that the table indicated the network name as recorded in the Bureau’s database and that the same physical satellite, the name of which was not indicated in the table, had been used 12 times to bring the network into or back into use.

4.44 **Ms Beaumier** noted that the statistics in the first table were similar to those provided at previous meetings with no significant change in trends. She said that the new tables confirmed that the issue was not the number of times that a single satellite was used to bring or bring back into use frequency assignments but rather the number of times that a network filing and its frequency assignments had been brought into use for a minimum period, suspended, then brought back into use for a minimum period, suspended again, and so on, and the sequential use of a single satellite to bring into use one administration’s various filings. For example, the section in the second table that listed cases involving nine relocations showed that quite a few networks from the same administration had been brought into use by a single satellite, and the section that listed cases involving five relocations showed that different networks had been brought or brought back into use for short periods of time. The Board’s position as set out in its draft report under Resolution **80 (Rev.WRC-07)** to WRC-23 was thus validated and would not need to be changed substantially.

4.45 In response to a suggestion from **Mr Nurshabekov**, **Mr Vallet (Chief, SSD)** said that the second table did not indicate the satellite names because they were contained only in communications under RR No. **13.6**. The Bureau could indicate the date of receipt of the filing but it might be more

logical, since the issue concerned repeated suspensions, to indicate the initial date of bringing into use.

4.46 **Ms Beaumier** agreed that it would be useful to know the initial date of bringing into use, in order to have the complete sequence. The satellite name would not add anything to the analysis, however, and was not always clear or readily available.

4.47 The **Chairman** proposed that the Board should conclude as follows on the matter:

“The Board also **noted** with appreciation § 8 of Document RRB23-1/6(Rev.1), reporting on the statistics submitted on Resolution **40 (Rev.WRC-19)** and the additional information requested during its 91st meeting. The Board **instructed** the Bureau to include in the relevant table the initial date of bringing into use of satellite networks that had been brought into use or brought back into use repeatedly.”

4.48 It was so **agreed**.

Coordination activities between the Administrations of Saudi Arabia and Türkiye with respect to their satellite networks at the orbital positions 30.5°E and 31°E (Addendum 1 to Document RRB23-1/6(Rev.1))

4.49 The Board **noted** with satisfaction Addendum 1 to Document RRB23-1/6(Rev.1), reporting on the successful conclusion of the discussions between the Administrations of Saudi Arabia and Türkiye, which had resulted in a signed frequency coordination agreement for the ARABSAT and TURKSAT satellite networks at the orbital positions 30.5°E and 31°E. The Board **expressed** its gratitude to the two administrations for their cooperation and goodwill in achieving a favourable outcome and to the Bureau for its support to the two administrations during their negotiations.

Progress report on the implementation of Resolution 559 (WRC-19) (Addendum 4 to Document RRB23-1/6(Rev.1))

4.50 **Mr Wang (Head, SSD/SNP)** introduced Addendum 4 to Document RRB23-1/6(Rev.1), in which the Bureau reported that, following two special events organized in December 2022 by the Southern African Development Community and the African Telecommunications Union, with the active participation of the Bureau, to help administrations prepare their corresponding Part B submissions and requests to WRC-23, 41 of the 45 administrations concerned had submitted Part B submissions of their Resolution **559 (WRC-19)** requests. Their submissions had been processed and would be published on 4 April 2023. The Bureau continued to assist the remaining four administrations for completing the Resolution **559 (WRC-19)** procedure. In addition, the Bureau reported that several Part A networks that might have degraded the EPM of Resolution **559** submissions had been cancelled.

4.51 **Mr Henri** thanked the Bureau for the excellent work and support to encourage and assist the administrations concerned to complete the Resolution **559** procedure and to process all Part A and B submissions in a timely manner.

4.52 The **Director** acknowledged that the Resolution **559** procedure represented a huge amount of work for the countries concerned, which the Bureau had endeavoured to assist as much as possible. He was very happy with the result, which was an excellent example of the ITU-R spirit of collaboration and had been a good exercise for the entire telecommunication community: countries not benefiting from Resolution **559 (WRC-19)** had had to agree to accommodate the needs of those that did so that they could recover degraded spectrum resources. He thanked the Board for its guidance throughout the process.

4.53 The **Chairman** proposed that the Board should conclude as follows on the matter:

“The Board considered Addendum 4 to Document RRB23-1/6(Rev.1), reporting on progress in the implementation of Resolution **559 (WRC-19)**. The Board expressed its gratitude to the Southern African Development Community and the African Telecommunications Union for organizing two special events to assist administrations in preparing their corresponding Part B submissions and requests to WRC-23, and thanked the Bureau for also supporting administrations in those efforts. Furthermore, the Board instructed the Bureau to continue to support administrations’ efforts and to report on progress at the 93rd Board meeting.”

4.54 It was so **agreed**.

Progress report on requests for new allotments under Article 7 of Appendix 30B (Addendum 7 to Document RRB23-1/6(Rev.1))

4.55 **Mr Wang (Head, SSD/SNP)**, introducing Addendum 7 to Document RRB23-1/6(Rev.1), said that some of the networks identified as being affected by Article 7 requests had been suppressed. In addition, the Administration of India had accepted the Bureau’s proposal in respect of its Part B submission and had modified the submission in a manner so as not to degrade the *C/I* levels of the Administration of Croatia. In addition to the State of Palestine, seven countries had no allotment in the Appendix **30B** Plan: Eritrea, Estonia, Latvia, Saint Lucia, Tajikistan, Timor-Leste and Turkmenistan.

4.56 **Mr Henri** commended the Bureau for its work regarding requests for new allotments under Article 7 of Appendix **30B**. Given the difficulties currently encountered by some administrations in the application of Article 7 (possibly because they lacked the requisite resources), he suggested that the Board should include a remark to that effect in its report under Resolution **80 (Rev.WRC-07)** and suggest that WRC-23 instruct the Bureau to analyse the situation of each administration that did not yet have an allotment with view to finding compatible entries in Appendix **30B**.

4.57 The **Chairman** proposed that the Board should conclude as follows on the matter:

“Having considered Addendum 7 to Document RRB23-1/6(Rev.1), reporting on the status of requests for new allotments under RR Appendix **30B**, the Board expressed its appreciation for the Bureau’s continued support to administrations making Article 7 requests. The Board thanked the Administration of India for having agreed to implement the measures proposed by the Bureau that resulted in reducing the aggregate *C/I* levels of the proposed allotment of the Administration of Croatia to below 0.25 dB. The Board decided to include in its report to WRC-23 on Resolution **80 (Rev.WRC-07)** the fact that an additional seven administrations and the State of Palestine had no allotment in the RR Appendix **30B** Plan.

The Board instructed the Bureau to continue to provide support to administrations in their coordination efforts related to the implementation of decisions taken by the Board at its 89th meeting and to report on progress on the matter at its 93rd meeting.”

4.58 It was so **agreed**.

Coordination activities between the Administrations of France and Greece concerning the satellite networks ATHENA-FIDUS-38E at 38°E and HELLAS-SAT-2G at 39°E (Addendum 8 to Document RRB23-1/6(Rev.1))

4.59 **Mr Vallet (Chief, SSD)**, introducing Addendum 8 to Document RRB23-1/6(Rev.1), said that since the previous Board meeting, the Administrations of France and Greece had held a conference call with the participation of the Bureau to discuss the exact scope of the partial coordination agreement formalizing the conditions related to a certain number of coordination cases. They had agreed to continue coordination and finalize the partial coordination agreement at a future meeting to be held at the end of April 2023. The Board might wish to call on the administrations to continue their coordination activities.

4.60 The **Chairman** proposed that the Board should conclude on the matter as follows:

“The Board considered Addendum 8 to Document RRB23-1/6(Rev.1), reporting on coordination activities between the Administrations of France and Greece concerning the satellite networks ATHENA-FIDUS-38E at 38°E and HELLAS-SAT-2G at 39°E and expressed its appreciation for the cooperation and goodwill of the administrations in their coordination efforts, and the planned objective to finalize a partial coordination agreement at their next meeting.

The Board thanked the Bureau for its support to the two administrations in their coordination activities and instructed the Bureau to continue providing such support and to report on any progress to the next Board meeting.”

4.61 It was so **agreed**.

Request for the extension of the period of operation of the ARABSAT-VB26E satellite network (Addendum 9 to Document RRB23-1/6(Rev.1))

4.62 **Mr Wang (Head, SSD/SNP)** introduced Addendum 9 to Document RRB23-1/6(Rev.1), which reported on the request for extension of the period of operation of the ARABSAT-VB26E satellite network. In accordance with the relevant provisions of Appendices **30** and **30A**, the request for a second 15-year period of operation had to reach the Bureau before 1 January 2023, i.e. three years before the end of the first 15-year period of operation. The Bureau had sent a reminder to the notifying administration on 27 September 2022 and had received the extension request on 24 January 2023, 24 days after the deadline. In view of previous similar decisions, and in accordance with the process followed with respect to Resolution **4 (Rev.WRC-03)**, the Bureau had decided to accept the request and inform the Board accordingly.

4.63 **Mr Talib** said that a delay of 24 days in the receipt of the extension request was relatively short given the 15-year period of operation. In light of previous similar decisions, he could endorse the Bureau’s decision.

4.64 **Mr Henri** said he **understood** that the ARABSAT-VB26E satellite network was in operation. The Board could forgive the administrative oversight, particularly in light of previous Board decisions on similar cases.

4.65 **Ms Beaumier** said that the Board should endorse the decision of the Bureau.

4.66 The **Chairman** proposed that the Board should conclude on the matter as follows:

“The Board considered Addendum 9 to Document RRB23-1/6(Rev.1), reporting on the request for the extension of the period of operation of the ARABSAT-VB26E satellite network. The Board noted that:

- the request to extend the period of operation had been received 24 days after the regulatory deadline of 1 January 2023;
- an operational satellite had brought into use the satellite network;
- in previous similar cases, the Board had instructed the Bureau to continue with the practice of accepting requests and informing the Board accordingly.

Consequently, the Board endorsed the decision of the Bureau.”

4.67 It was so **agreed**.

Objection from Georgia to the application of Nos 9.47 to 9.49 with respect to frequency assignments located in certain areas (Addendum 10 to Document RRB23-1/6(Rev.1))

4.68 **Mr Vallet (Chief, SSD)**, introducing Addendum 10 to Document RRB23-1/6(Rev.1), said that since 2017, when the coordination contours of earth stations located in the territory of the Russian

Commented [LING-E1]: For correct English , we need a verb of saying here (said) rather than in the next sentence.

Federation included, in whole or in part, areas of Abkhazia and South Ossetia, the Bureau had received comments from the Administration of Georgia informing it that the coordination contour covered parts of the territory of Georgia that were not currently under Georgia's control. On that basis, the Administration of Georgia had indicated that the provisions of RR Nos. **9.47** to **9.49** could not be applied.

4.69 On 12 February 2020, the Administration of Georgia had also indicated that those provisions should not be applied to those areas as it had been unable to perform electromagnetic compatibility evaluations in them and had therefore failed to respond within the time-limit prescribed under RR No. **9.62**.

4.70 On 20 June 2022, the Bureau had received a request from the Administration of the Russian Federation to publish frequency assignments to certain earth stations because no valid objection had been received from the Administration of Georgia. The provisions of RR Nos. **9.47** and **9.49** had been applied in the absence of any reply by the Administration of Georgia within the time-limit under RR No. **9.62**.

4.71 In order to process the notification of frequency assignments and perform assistance procedures for such cases, the Bureau suggested the following action: to accept the objection from the Administration of Georgia based on its current inability to exercise the provisions of RR Nos. **9.47**, **9.48** and **9.49**, provided that the objection was sent within the regulatory time-limit prescribed by No. **9.62**; to record the frequency assignments of the Administration of the Russian Federation under RR No. **11.41**, if so requested; and to apply the provisions of RR Nos. **9.47**, **9.48** and **9.49** in the event that no reply was received within the regulatory period.

4.72 The Board was invited to endorse the proposed course of action.

4.73 **Ms Beaumier** said that she could support the approach proposed by the Bureau, which was reasonable. An administration should be able to provide a reply even if it was unable to fulfil its obligations to perform electromagnetic compatibility evaluations.

4.74 **Mr Henri** expressed support for the rational approach proposed. If there were other similar cases, the Board might need to consider developing a rule of procedure or propose a general approach in a circular letter. He asked whether the Administration of Georgia had responded to the coordination request within the 30-day period provided for.

4.75 **Mr Talib** and **Mr Cheng** supported the reasonable course of action put forward by the Bureau.

4.76 **Ms Hasanova**, having pointed out that it was a very sensitive issue, and that the area was recognized as being in Georgia according to the UN Geospatial Map, expressed support for the proposed course of action. She asked whether the Administration of Georgia had received any of the communications and if the Bureau had any means of calculating whether the stations of the Russian Federation would cause interference to Georgian stations.

4.77 **Mr Vallet (Chief, SSD)**, replying to questions, said that there were currently no similar cases concerning space services. Addendum 10 covered several coordination requests from the Russian Federation and several types of responses from the Administration of Georgia. The Administration of the Russian Federation often requested the Bureau's assistance under RR No. **9.33**. In such cases, the Bureau sent a request for coordination to the Administration of Georgia, which was supposed to acknowledge receipt within 30 days. If it failed to do so, a reminder was sent providing an additional 15-day period for the response. If there was no acknowledgement of receipt after 45 days, the provisions of RR Nos **9.47** to **9.49** applied. If, however, the administration acknowledged receipt within that period, it had four months to provide a response. If no response was received within that

four-month period, the Bureau sent a reminder. If the administration still failed to respond, RR Nos. **9.47** to **9.49** then applied.

4.78 The Bureau had no communication difficulties with the Administration of Georgia, which did receive the requests. The administration sometimes replied within the regulatory time-limit and at other times after. In order to identify potentially affected stations in the coordination zone, the Bureau required details of the precise location and orientation of the stations and exact frequencies. The Administration of Georgia was unable to provide such information to the Bureau as it did not have administrative control over the area. The Bureau was therefore proposing an interim solution until the geopolitical situation improved.

4.79 **Mr Vassiliev (Chief, TSD)** said that there were some similar situations regarding terrestrial services, including with respect to the Cospas-Sarsat frequency band, which was for emergency geolocation radio beacons and had absolute protection from interference. Countries in the monitoring programme of the Cospas-Sarsat frequency band maintained by the Bureau sometimes reported interference but were usually able to identify the precise location of the terrestrial station causing the interference. However, when the interference came from the territories of Abkhazia or South Ossetia, which was outside the control of the Administration of Georgia, no action could be taken. A similar situation might also be encountered under the agreement-seeking procedure of RR No. **9.21**. The approach proposed by the Bureau might be applied as a general procedure instead of developing a rule of procedure.

4.80 **Mr Henri**, after thanking the Bureau for the additional information, said that there should be no need at that stage to develop a rule of procedure since there was only one case. A course of action similar to the approach proposed could be taken for terrestrial services, should the same situation be encountered in the application of RR No. **9.21**, for which frequency assignments could be recorded under RR No. **11.31.1**. The need for a rule of procedure could be reviewed in due course if required.

4.81 **Ms Beaumier** said that she did not see the need to develop a rule of procedure at present. The same principles could be extended to terrestrial services in the application of RR No. **9.21**.

4.82 The **Chairman** suggested that the Board should conclude on the matter as follows:

“The Board considered in detail Addendum 10 to Document RRB23-1/6(Rev.1), proposing actions to be taken in relation to frequency assignments to stations located in certain areas for which the Administration of Georgia had objected to the application of RR Nos. **9.47** to **9.49**. Given the specific situation and circumstances, the Board considered that the approach proposed by the Bureau was reasonable. Consequently, the Board endorsed the approach and instructed the Bureau to:

- accept the objection from the Administration of Georgia based on its current inability to exercise the provisions of Nos. **9.47** and **9.49**, or the provisions of Nos. **9.47**, **9.48** and **9.49**, provided that the objection was sent within the regulatory time-limit prescribed by No. **9.62**;
- record the frequency assignments of the Administration of the Russian Federation under No. **11.41**, if so requested;
- apply the provisions of Nos. **9.47** and **9.49**, or the provisions of Nos. **9.47**, **9.48** and **9.49**, should there be no reply within the regulatory period, since the inability to perform electromagnetic compatibility appraisals in the areas currently not under the control of Georgia did not prevent the Administration of Georgia from providing comments within the regulatory period.

Furthermore, the Board indicated that a similar approach could be taken for terrestrial services should the Bureau encounter the same situation in the application of RR No. **9.21**, for which frequency

assignments could be recorded under RR No. **11.31.1**, if the Administration of the Russian Federation so requested.”

4.83 It was so **agreed**.

4.84 Having considered in detail the report of the Director, as contained in Documents RRB23-1/6 (Rev.1) and in Addenda 1 to 5 and 7 to 10, the Board **thanked** the Bureau for the extensive and detailed information provided.

5 Rules of Procedure

5.1 List of Rules of Procedure (Documents RRB23-1/1, RRB20-2/1(Rev.8), Addendum 6 to Document RRB23-1/6(Rev.1))

5.1.1 **Mr Vallet (Chief, SSD)** introduced Addendum 6 to Document RRB23-1/6(Rev.1), which, pursuant to the Board’s discussion at its 91st meeting (see Document RRB22-3/18, §§ 4.1.3 and 4.1.5) presented various modifications to the Rule of Procedure on RR No. **11.48**.

5.1.2 **Mr Henri**, the Chairman of the Working Group on the Rules of Procedure, reported on the outcome of the group’s meeting. The group had endorsed the modifications to the Rule of Procedure on RR No. **11.48** proposed by the Bureau in Addendum 6 to Document RRB23-1/6 (addition of a reference to Resolution **552 (Rev. WRC-19)** and clarification of the requirement for updating due diligence information only when that information was provided before the decision of the Board to grant an extension of the deadline for bringing into use). It had invited the Bureau to prepare similar modifications for situations related to extensions of bringing into use of frequency assignments to a satellite network subject to Appendices **30, 30A** and **30B**, and to submit all the modifications to administrations in a circular letter for comments and final decision at the next Board meeting.

5.1.3 With regard to the issue of territories with unsettled sovereignty, the Bureau had provided the group with a detailed report on a series of consultations with the United Nations Geospatial Information Section in November and December 2022, and in February and March 2023. The Geospatial Information Section was reluctant to have an ITU document refer directly to the list of territories with unsettled sovereignty. The working group had therefore agreed that the draft rule of procedure on Resolution **1** would not include such direct references to the UN special code describing territories with unsettled sovereignty. However, the list of those territories that had frequency assignments whose recording in the MIFR had been held in abeyance by the Bureau would be included in Table 1B (Codes designating Countries or Geographical Areas) of the Preface to the BR International Frequency Information Circular – BR IFIC (Space Services), and that the table would be updated as necessary. It had also agreed to review the current draft text on Resolution **1** with a view to its adoption at its next meeting and asked the Bureau to update Table 1B of the Preface accordingly.

5.1.4 With regard to the simultaneous bringing into use of multiple non-GSO systems with a single satellite, the group had reviewed the principles already agreed for the development of the relevant rule of procedure and invited the Bureau to further consider the impact of the draft rule on the implementation of Resolution **35 (WRC-19)**, Resolution **76 (Rev.WRC-15)** and the equivalent power-flux densities set out in RR Articles **21** and **22**, with a view to conducting a more exhaustive review at the next Board meeting.

5.1.5 The group had reviewed Addendum 10 to Document RRB23-1/6, on the application of RR Nos. **9.47** to **9.49** with respect to frequency assignments located in certain areas, and, in view of the specificity and unicity of the case, had agreed not to draft a rule of procedure on the specific approach proposed by the Bureau for the time being.

5.1.6 The group had reviewed and approved the update to the list of proposed rules of procedure set out in Document RRB23-1/1 (Revision 8 to Document RRB20-2/1). It had also reviewed the rules of procedure adopted since WRC-19 that might be converted into modifications to the Radio Regulations in accordance with RR Nos. **13.0.1** and **13.0.2** and with No. **2.1.1.3** of the Rules of Procedure on internal arrangements and working methods of the Radio Regulations Board, but had not identified any rules for such conversion.

5.1.7 The **Chairman** proposed that the Board should conclude as follows on the matter:

“Following a meeting of the Working Group on the Rules of Procedure, under the chairmanship of Mr Y. HENRI, the Board decided to review the list of proposed rules of procedure set out in Document RRB23-1/1, taking into account the progress made on the draft rules of procedure on Resolution **1** (Rev.WRC-97), RR No. **11.48** and the simultaneous bringing into use of several non-geostationary satellite systems with a single satellite.

After having considered Addendum 6 to Document RRB23-1/6(Rev.1), proposing a modification to the Rule of Procedure on RR No. **11.48**, consequently the Board instructed the Bureau to prepare similar draft rules of procedure for RR Appendices **30**, **30A** and **30B**, and to circulate those draft rules of procedure to administrations for comments and for consideration by the Board at its 93rd meeting. The Board decided that no rules of procedure required inclusion in the Radio Regulations.”

5.1.8 It was so **agreed**.

6 Request for the cancellation of the frequency assignments to satellite networks under No. 13.6 of the Radio Regulations

6.1 Request for a decision by the Radio Regulations Board for the cancellation of the frequency assignments to the SNUGLITE satellite network under No. 13.6 of the Radio Regulations (Document RRB23-1/4)

6.1.1 **Mr Laurenson (acting Head, SSD/SPR)** introduced Document RRB23-1/4, in which the Bureau justified its request to cancel the frequency assignments to the SNUGLITE satellite network.

6.1.2 **Ms Mannepalli**, observing that the Bureau had completed all the procedures under RR No. **13.6** vis-à-vis the Administration of the Republic of Korea, said that the case clearly called for suppression of the frequency assignments to the satellite network.

6.1.3 The **Chairman** proposed that the Board should conclude as follows on the matter:

“The Board considered the request by the Bureau for a decision on the cancellation of the frequency assignments to the SNUGLITE satellite network under RR No. **13.6**. The Board further considered that the Bureau had acted in accordance with RR No. **13.6** and had requested the Administration of the Republic of Korea to provide evidence as to whether the frequency assignments to the SNUGLITE satellite network had been brought into use or continued to be in use and to identify the actual satellite which was currently in operation, followed by two reminders, to which no response had been received. Consequently, the Board instructed the Bureau to cancel the frequency assignments to the SNUGLITE satellite network in the MIFR.”

6.1.4 It was so **agreed**.

7 Issues and requests relating to the extension of regulatory time-limits to bring or to bring back into use frequency assignments to satellite networks

7.1 Submission by the Administration of Cyprus requesting an extension of the regulatory time-limits to bring into use the frequency assignments to the CYP-30B-59.7E-3 satellite network and to bring back into use the frequency assignments to the CYP-30B-59.7E and CYP-30B-59.7E-2 satellite networks (Document RRB23-1/8)

7.1.1 **Mr Wang (Head, SSD/SNP)** introduced Document RRB23-1/8, in which the Administration of Cyprus provided additional information regarding its request to extend the time-limit for bringing into use the frequency assignments to the CYP-30B-59.7E-3 satellite network, as per the Board's decision at its 91st meeting, and extended that request to the time-limits for bringing back into use the frequency assignments to the CYP-30B-59.7E and CYP-30B-59.7E-2 satellite networks. Regarding the CYP-30B-59.7E-3 satellite network, the Administration of Cyprus stated that, in addition to the delay in satellite manufacturing, the change in launch service provider had changed the launch window and lengthened the orbit-raising period. The Administration of Cyprus therefore requested a longer extension, of 15 rather than 11 months, to 6 March 2024. As justification of the requested extension, the document provided an overview of the project and the frequency bands concerned, a timeline for construction of the OVZON 3 satellite and detailed information on the manufacturing delays incurred and the fruitless search for another manufacturer. Construction of the satellite had been delayed by three events – the global COVID-19 pandemic, wildfires and a delay in the delivery of the reaction wheels – which the administration said were beyond its control and unforeseen: they therefore constituted *force majeure* and should be considered as such by the Board. The administration further requested an eight-month extension, also to 6 March 2024, for the frequency assignments to the CYP-30B-59.7E and CYP-30B-59.7E-2 satellite networks, which had been suspended on 16 June 2020 and would be brought back into use by the same satellite. The document had 27 attachments containing supporting documents.

7.1.2 In reply to a question from **Ms Mannepalli**, he confirmed that the submission from the Administration of Cyprus to the 91st Board meeting had concerned only the CYP-30B-59.7E-3 network.

7.1.3 **Mr Talib** considered that the Administration of Cyprus had provided clear information on all three networks and that the case met the conditions for *force majeure*. He was not convinced that an extension of 15 months was justified, however; while a six-month delay could be attributed to the COVID-19 pandemic and a one-month delay to the wildfires, no information was provided on the extent of the delay caused by the subcontractor's late delivery of the reaction wheels. He was therefore in favour of granting an extension of less than 15 months.

7.1.4 **Mr Wang (Head, SSD/SNP)** explained that the Administration of Cyprus had calculated the 15 months on the basis of the new satellite shipment date of 15 April 2023, which, when the extra month needed for orbit raising was added, resulted in a total delay of 24 months. Before the *force majeure* events, the schedule had called for the frequency assignments to be brought into use nine months before the regulatory deadline: 24 months – 9 months = 15 months.

7.1.5 **Ms Beaumier** said that the additional information provided addressed most of the points raised at the previous meeting. With the preliminary design review completed in January 2023, the satellite construction had appeared to be on track before the COVID-19 pandemic and the contingencies built into the construction schedule would have made it possible to meet the deadline for bringing into use despite the accumulated seven-month delay (six months for the pandemic, one month because of the wildfires). Additional unquantified delays due to COVID-19 had been reported by the satellite manufacturer in April and May 2021 and also in January 2022, which could have led the Administration of Cyprus to miss the regulatory deadline only if the additional delays had been

more than two months. She had therefore focused on the third event invoked as *force majeure*: the reaction wheels, which had been recalled in April 2021, and were not delivered before June 2022. Having carefully considered the information provided on the issue, she concluded that the case was one of *force majeure*. Even with built-in contingencies for possible schedule delays, no one could have foreseen the recall or its scope, which had impacted early one hundred satellites with most of those satellites having priority over the OVZON-3 satellite, and the Administration of Cyprus had made a serious effort to find other solutions to no avail. The delays in replacing the defective components had also been compounded by delays due to the ongoing pandemic. However, given the limited information provided on the project schedule and status of satellite construction before each *force majeure* event, it was not clear to her that completion of construction, integration and testing before shipment would take an additional nine months and that an extension to 6 March 2024 was therefore justified.

7.1.6 **Mr Henri** shared Ms Beaumier's view. The satellite was due to be shipped by 15 April 2023 for a July–September 2023 launch window. If five months were added to the launch at the beginning of the launch window for orbit raising, then bringing into use could be expected by early December 2023. While the Administration of Cyprus might have requested an extension to 6 March 2024 to cover the three-month launch window, his view was that a shorter launch window, generally one month, was more the practise for a launch planned within the following three months, taking account also that most launches occurred at the beginning of the window. In conclusion, while the case met the conditions for *force majeure*, an extension to 31 December 2023 appeared more appropriate given the information currently available.

7.1.7 **Mr Cheng** agreed with the previous speakers that the case met the conditions to qualify as *force majeure*. That being said, the Administration of Cyprus had provided clear and comprehensive information, the satellite was almost built, a shipment date had been set and a contract had been signed for the launch. On the basis of the information provided, extensions of 15 and 8 months, respectively, were reasonable.

7.1.8 **Mr Linhares de Souza Filho** also agreed that the case met the conditions for *force majeure*. He nevertheless warned that not every instance in which there was a problem with the reaction wheels would qualify *per se*; the difference in the case at hand was the context, with almost 100 satellites being affected. He had no difficulty in granting an extension of 15 months.

7.1.9 **Ms Hasanova** agreed with the analysis of Ms Beaumier and Mr Henri and was in favour of granting an extension to 31 December 2023.

7.1.10 **Mr Fianko** expressed support for an extension to 6 March 2024, in view of the country and the enormous resources involved. In addition, a longer extension would avoid having the Administration of Cyprus come back to the Board with a request for a further three months.

7.1.11 **Ms Beaumier** pointed out that granting the full extension would not be in line with the Board's decisions since WRC-19 in *force majeure* cases. In her view, the nine months requested after the obtention of replacement parts were not fully justified.

7.1.12 **Mr Talib** said that, while he was sympathetic to the request of the Administration of Cyprus, the explanations put forward by previous speakers had convinced him that the extension should be to 31 December 2023.

7.1.13 **Mr Fianko**, observing that returning members of the Board were aligned on December 2023 while new members were in favour of March 2024, asked whether the case raised a question of consistency. If the Board was required to reach conclusions that were consistent with its past decisions, he would reconsider his position.

7.1.14 The **Chairman** said that previous extensions granted by the Board had been calculated on the basis of the time actually required but did not allow for contingencies.

7.1.15 **Ms Beaumier** confirmed that the case raised a question of consistency; any extensions had to be fully justified.

7.1.16 **Mr Linhares de Souza Filho** said that, having listened to the more experienced Board members, he agreed to an extension to 31 December 2023, on the understanding that the Administration of Cyprus could come back to the Board if it needed more time.

7.1.17 **Mr Henri** confirmed that the Board had never accepted the concept of “buffers”. In its past decisions, it had always said that it could not grant extensions based on additional contingencies. If more time was needed, the administration always had the possibility to come back to the Board.

7.1.18 **Ms Mannepalli** asked whether there were cases in which administrations had approached the Board again for further additional time. She was in favour of granting the extension, either to 31 December 2023 or 6 March 2024.

7.1.19 Following informal discussions, the **Chairman** proposed that the Board should conclude as follows on the case:

“The Board considered in detail the request from the Administration of Cyprus as contained in Document RRB23-1/8 and thanked the administration for providing the additional information requested at the 91st Board meeting. The Board noted that:

- satellite construction had appeared to be on schedule at the start of the global COVID-19 pandemic;
- reasonable contingency had been built into the schedule to deal with manufacturing and launch delays;
- the manufacturer had accumulated a seven-month delay due to the global COVID-19 pandemic and wildfires by March 2021;
- a subcontractor had issued a recall of the reaction wheels in April 2021 and replacement parts had only been delivered in July 2022;
- the ongoing global COVID-19 pandemic had compounded the delays in replacing the defective components;
- the satellite operator and the manufacturer could not have foreseen those delays and planned the necessary contingencies to compensate for the scope of the recall and its adverse impact on the availability of the OZVON 3 satellite;
- the administration had made extensive efforts to find replacement parts or other in-orbit satellites.

Therefore, the Board concluded that the situation qualified as a case of *force majeure*. From the information provided, the Board considered that the satellite shipment date of 15 April 2023, the launch window of 1 July–30 September 2023 and the 158 days required for orbit raising justified a 12-month extension. Consequently, the Board decided to accede to the request from the Administration of Cyprus to extend the regulatory time-limits to bring into use the frequency assignments to the CYP-30B-59.7E-3 satellite network and to bring back into use the frequency assignments to the CYP-30B-59.7E and CYP-30B-59.7E-2 satellite networks, to 31 December 2023.”

7.1.20 It was so **agreed**.

7.2 Submission by the Administration of the Islamic Republic of Iran requesting an extension of the regulatory time-limit to bring back into use the frequency assignments to the IRANSAT-43.5E satellite network (Documents RRB23-1/10, RRB23-1/DELAYED/1)

7.2.1 **Mr Laurenson (acting Head, SSD/SPR)** introduced Document RRB23-1/10, containing a request from the Administration of the Islamic Republic of Iran to extend the regulatory time-limit to bring back into use the frequency assignments to the IRANSAT-43.5E satellite network from 7 October 2023 until October 2024, on the grounds of *force majeure*. He recalled that the frequency assignments had initially been brought into use on 15 June 2017 and suspended on 7 October 2017 and that the Board had, at its 84th meeting, decided to grant an extension to the regulatory time-limit to bring back into use the network's frequency assignments from 7 October 2020 until 7 October 2023.

7.2.2 The satellite leased to bring into use the IRANSAT-43.5E satellite network was expected to have been launched as a secondary payload on a Russian launch vehicle between 15 May and 15 July 2022 (Attachment 1). However, because of the conflict between the Russian Federation and Ukraine, an embargo had been placed on the use of a Russian launch provider – a situation that the Iranian Administration considered met the four conditions of *force majeure*. The operator had sought another launch provider in an attempt to meet the regulatory deadline for bringing back into use the frequency assignments (Attachment 5) and had been offered a launch with the IM-2 moon mission initially scheduled for Q2 of 2023 but now moved to no earlier than Q4 of 2023 (Attachment 2). The period for orbit raising and drift, originally estimated between four to eight weeks, had been extended to eight months taking into account the need to come back from the moon to 43.5°E and the potential underperformance of the electric thruster (Attachment 3).

7.2.3 He drew attention, for information, to Document RRB23-1/DELAYED/1, which set out in attachments 1 to 8 the supporting documentation to which the Administration of the Islamic Republic of Iran had referred in its submission.

7.2.4 **Mr Henri** said that, although the extensive information provided by the Administration of the Islamic Republic of Iran in the attachments was welcome, its linkage to the issue was not always well defined. Recalling that a three-year extension had already been granted by the Board at its 84th meeting for bringing back into use the frequency assignments, he understood from the information provided that the leased N3A-1 16-unit experimental GSO CubeSat satellite used to bring back into use the frequency assignments to the IRANSAT-43.5E satellite network by 7 October 2023 would remain at the orbital position for three months, after which the frequency assignments would once again be suspended under RR No. **11.49**.

7.2.5 While *force majeure* had been invoked by the administration because of the ongoing conflict between the Russian Federation and Ukraine and the embargo on the use of a Russian launch service provider, more precise information on the adverse impact of the embargo that could meet the conditions of *force majeure* was missing. Also, any issues that had arisen because of the embargo should have been raised by the Canadian company (QSTC) and reported by the Iranian Administration. He also noted the high risk of a further delayed launch associated with specific scientific missions for the N3A-1 satellite planned with SpaceX as a secondary payload on a lunar mission. Assuming a launch at the end of Q4 of 2023 and the 8-month period for orbit posting, the GSO satellite would reach its location around the end of August 2024, whereas the request for extension was for October 2024.

7.2.6 Several elements in the submission remained unclear, and no information had been provided on the long-term use of the frequency assignments to the IRANSAT-43.5E satellite network. He would therefore have difficulty in acceding to the request at present.

7.2.7 **Ms Beaumier** said that she agreed with much of what Mr Henri had said. The submission had not addressed the requirement to show clearly how each of the four *force majeure* conditions had been met. Although the numerous attachments contained relevant documents to support the case, the presentation and the chronology of events were difficult to follow; the onus was on the administration to explain the case clearly and comprehensively. Furthermore, information to support the case was missing: the use of the satellite network filing by a foreign satellite operator had not been explained and plans for a long-term or permanent satellite were not clear. Such information was important given the fact that the satellite network filing had already benefited from an extension.

7.2.8 The designated operator (ASC) had signed a contract with QSTC, formerly AQST, to arrange for a satellite and launch to bring back into use the frequency assignments to the Ka- and Ku-bands. A company from Denmark appeared to have been selected to build the satellite, however, no contract or letter from the satellite manufacturer had been provided. The contract with the Russian launch service provider for the Proton launch was not dated. Furthermore, while Attachment 3 contained a letter from QSTC dated January 2023 that provided additional details, there were discrepancies in the timelines of events. According to Attachment 4, the RFI issued by ASC to select the solution provider was released on 31 October 2021, but according to QSTC, they had already signed a launch agreement on 1 November 2021, only a day after the RFI had been issued and before they had been selected as the solution provider and signed a contract with ASC on 5 December 2021. The letter from QSTC in Attachment 3 also indicated that the N3A-1 satellite had been ready for shipment in April 2022, however the satellite manufacturer had only signed the satellite launch readiness certificate in Attachment 6 on 15 February 2023. That would suggest that the original launch window of 15 May to 15 July 2022 would have been missed even in the absence of an embargo on the use of the Russian launch provider, the impact of which had not been clearly explained. On that basis, the case did not satisfy the conditions of *force majeure* since the event causing the delay was self-induced. Furthermore, noting that potential delays in the launch window had been taken into account and the revised orbit-raising period had been increased to eight months as a precaution, including because of the potential underperformance of the N3A-1 electric thruster, she recalled that the Board did not provide for contingencies in its extensions. As such, an extension until October 2024 was not justified. In her view, based on the information provided, the situation did not qualify as a case of *force majeure*. There was time for the administration to resubmit the case, addressing the issues raised to the next meeting of the Board if it so wished.

7.2.9 **Ms Hasanova** agreed that the information provided was difficult to follow and noted that the initial expected orbit-raising period of four to eight weeks had seemed rather long for the type of satellite. Many elements were unclear, including with respect to satellite control and whether the satellite would remain at the orbital position or would just be used for the purposes of bringing back into use. She was not in a position to consider that the situation qualified as a case of *force majeure*. As the regulatory deadline for bringing back into use was 7 October 2023, the Administration of the Islamic Republic of Iran could always resubmit the case to the Board's next meeting.

7.2.10 **Mr Vallet (Chief, SSD)** said that the N3A-1 satellite was to have been launched as a secondary payload on the Russian launch vehicle. It would now be the secondary payload on the IM-2 lunar mission and the orbit-raising period would be much longer to enable the satellite to descend from a lunar orbit to the 43.5°E orbital position.

7.2.11 **Mr Henri**, replying to a question from **Mr Fianko** as to why the Board was not asking the administration for specific information to be provided to the next meeting, said that many unanswered questions remained and a list of all the information required might in itself be confusing. The Board was using the information submitted to help administrations, but the administrations had to help themselves. The draft report to WRC-23 on Resolution **80 (Rev. WRC-07)** contained very useful information for administrations regarding the conditions for application of *force majeure* cases. Given

the regulatory deadline of 7 October 2023 to bring back into use the frequency assignments to the IRANSAT-43.5E satellite network, the Administration of the Islamic Republic of Iran did have enough time to resubmit the case to the Board's next meeting if it so wished.

7.2.12 **Ms Beaumier** added that, based on the evidence provided, the situation did not appear to qualify as a case of *force majeure*, and there was therefore no reason for the Board to request further information. Conversely, if a case appeared to or could possibly meet the four conditions of *force majeure* but the Board was unsure, it would seek additional information.

7.2.13 The **Chairman** proposed that the Board should conclude on the matter as follows:

"The Board considered Document RRB23-1/10, and Document RRB23-1/DELAYED/1 for information, containing a request from the Administration of the Islamic Republic of Iran to extend the regulatory time-limit to bring back into use the frequency assignments to the IRANSAT-43.5E satellite network.

The Board noted:

- the lack of detailed rationale and assessment to clearly demonstrate that all the conditions had been met for the situation to qualify as a case of *force majeure*;
- the difficulty, from the information provided, to link the embargo on the use of a Russian launch provider and its impact on the bringing back into use of the frequency assignments to the IRANSAT-43.5E satellite network;
- the lack of information on the long-term use of frequency assignments by the Administration of the Islamic Republic of Iran at 43.5°E;
- the fact that, based on the launch readiness certificate signed by the satellite manufacturer on 15 February 2023, the administration would have been unable to meet the launch schedule of 15 May to 15 July 2022 owing to the unavailability of the satellite.

Consequently, the Board concluded that the situation did not qualify as a case of *force majeure* and therefore decided that it could not accede to the request from the Administration of the Islamic Republic of Iran."

7.2.14 It was so **agreed**.

7.3 Submission by the Administration of Indonesia requesting an extension of the regulatory time-limit to bring into use the frequency assignments to the NUSANTARA-H1-A satellite network (Document RRB23-1/11)

7.3.1 **Mr Laurensen (acting Head, SSD/SPR)**, introducing Document RRB23-1/11, pointed out that the Board had already granted the Administration of Indonesia two extensions of the regulatory time-limit to bring into use the frequency assignments to the NUSANTARA-H1-A satellite network, at its 90th and 91st sessions, owing to the lack of readiness of the primary mission. The document contained information to the effect that the primary mission had once again been delayed and laid out the new launch schedule. The Administration of Indonesia therefore requested a further four-month extension of the time-limit, from 31 March to 31 July 2023, to cover the new launch window in the week of 8 April 2023 and the 11 to 14 weeks required for orbit raising using the on-board electric propulsion system.

7.3.2 **Ms Beaumier**, noting that the particulars had been reviewed at the Board's previous two meetings, said that the case continued to qualify as one of co-passenger delay and that the request was limited and reasonable. She was therefore in favour of granting the extension to 31 July 2023. She also noted that the previous request had been for three months and regretted that the Administration of Indonesia had provided no explanation for the extra month requested.

7.3.3 **Mr Linhares de Souza Filho** suggested that it might facilitate the Board's examination of cases if they were presented according to a checklist of points and asked whether such a checklist was set out in the Rules of Procedure.

7.3.4 **Ms Beaumier** said that, in the case at hand, the Administration of Indonesia had submitted all the information required in accordance with the Rules of Procedure in its initial submission. It was not unknown, however, for administrations to submit requests that did not provide all such information, an issue that would be brought to the attention of WRC-23 in the Board's report under Resolution **80 (Rev.WRC-07)**. All administrations were reminded that they should always provide a detailed rationale for their requests.

7.3.5 **Mr Henri** said that the case was an example of an administration returning to the Board with a further extension request involving the same satellite network, owing to the fact that the primary mission had once again been delayed. As the case still qualified as one of co-passenger delay, he was also in favour of granting an extension to 31 July 2023.

7.3.6 **Mr Talib**, observing that the extension had been requested for valid reasons of co-passenger delay, said that he agreed to the request for an extension to 31 July 2023, which was justified and reasonable.

7.3.7 **Ms Hasanova** agreed with previous speakers that the case remained one of co-passenger delay and that the request for a further extension should be granted.

7.3.8 The **Chairman** proposed that the Board should conclude as follows on the matter:

"The Board considered in detail the request from the Administration of Indonesia as contained in Document RRB23-1/11 and noted that:

- at its 91st meeting, the Board had granted an extension of the regulatory time-limit to bring into use the frequency assignments to the NUSANTARA-H1-A satellite network to 31 March 2023, as a case of co-passenger delay;
- the launch of the GS-1 satellite had once again been delayed by the lack of readiness of the primary mission, with the new launch not expected before 8 April 2023;
- the request for an extension of the regulatory time-limit was limited and qualified.

The Board concluded from the evidence provided that the request continued to qualify as a situation of co-passenger delay. Consequently, in accordance with the rules of procedure on the extension of the regulatory time-limit for bringing into use satellite frequency assignments, the Board decided to accede to the request from the Administration of Indonesia to extend the regulatory time-limit to bring into use the frequency assignments to the NUSANTARA-H1-A satellite network to 31 July 2023."

7.3.9 It was so **agreed**.

7.4 Submission by the Administration of Indonesia requesting an extension of the regulatory time-limit to bring into use the frequency assignments to the PSN-146E satellite network (Document RRB23-1/12)

7.4.1 **Mr Laurensen (acting Head, SSD/SPR)**, introducing Document RRB23-1/12, said that the first Board decision in the case had been taken at the 86th meeting. At the 91st meeting, the Administration of Indonesia had requested a five-month extension of the regulatory time-limit to bring into use the frequency assignments to the PSN-146E satellite network owing to a delay in the construction of the SATRIA satellite. The Board had concluded that the conditions for *force majeure* were met but had asked the administration to justify the request for five months, including by providing specific information about the new launch window; supporting documentation from the launch service provider that confirmed the planned launch date; and specific supporting evidence that an extension of five months was justified, given that the information provided justified a maximum

extension of two and a half months only. Document RRB23-1/12 contained that information: the launch service provider confirmed the new launch window of 1–30 June 2023 in Annex 1, and the manufacturer confirmed the orbit-raising period as 210 days from the launch date in Annex 2. The document concluded with the administration’s request for a three-month extension of the regulatory time-limit, from 31 October 2023 to 31 January 2024. The frequency bands concerned (17.7-21.2 GHz and 27-30 GHz) had not been brought into use or had been suspended.

7.4.2 **Ms Beaumier** expressed satisfaction that the Administration of Indonesia was now seeking an extension of three rather than five months. The Board had agreed at its previous meeting that the *force majeure* events cited by the administration justified an extension of two and a half months only and that additional delays for orbit raising should not be taken into account as they were not related to the *force majeure* events. Moreover, the administration had demonstrated – albeit in its submission to the 86th meeting – that the initial regulatory time-limit set by WRC would have been met with two and half months to spare even with a seven-month orbit-raising period. In her view, the case continued to qualify as *force majeure* and the request was time-limited and reasonable. She was therefore in favour of granting an extension to 31 January 2024. She nevertheless wished to remind all administrations of their obligation to provide detailed information and justify the length of the extensions they requested. Document RRB23-1/12 contained no information on the additional two months that were not covered by the *force majeure* events. The Board had information from previous submissions that could be used to reach a conclusion, but that information and a relevant explanation should have been included in the submission to the present meeting.

7.4.3 **Ms Hasanova**, noting that the requested extension was now three rather than five months and that the Administration of Indonesia had provided the information requested, expressed support for an extension of three months.

7.4.4 **Mr Henri**, expressing satisfaction at the replies received, mentioned that it would have facilitated the Board’s consideration to have all the information pertinent to the case set out in Document RRB23-1/12. He was also in favour of granting a three-month extension to 31 January 2024.

7.4.5 **Mr Cheng** concurred. However, noting that the PSN-146E satellite network had been granted an extension once by WRC-19 and twice by the Board, he wondered whether the case should be reported to WRC-23.

7.4.6 **Mr Henri** said that each request for extension had been granted on the merits of the information provided at the time. On each occasion, the Board had been of the view that the information provided – on satellite construction difficulties or launch delays, for example – had justified the extension on the grounds of *force majeure*. Cases involving multiple consecutive requests, while rare, did arise. He was reluctant to report the case to WRC-23 because doing so would imply that the Board’s decision might not be final, although all issues and decisions related to the Indonesian request had been resolved and agreed upon by the Board. It was encouraging that a real satellite would soon be providing services to Indonesia and its neighbouring countries in conformity with its associated ITU filing.

7.4.7 **Ms Beaumier** agreed. The Board had scrutinized the case very closely on each occasion to ensure that any extension granted was fully justified. There was no need to report on it to WRC-23 because it presented no unresolved issues, which would otherwise be addressed in the Board’s report under Resolution **80 (Rev.WRC-07)**.

7.4.8 The **Chairman** proposed that the Board should conclude as follows on the matter:

“Having considered Document RRB23-1/12, containing the submission from the Administration of Indonesia, the Board thanked the administration for providing the additional information requested at the 91st Board meeting. The Board noted that:

- the request had satisfied all the conditions for the situation to qualify as a case of *force majeure* at its 91st meeting and continued to do so at its 92nd meeting;
- the launch window had been confirmed as 1–30 June 2023;
- the initial regulatory deadline set by WRC-19 would have been met with the additional two months required for orbit raising to the orbital position at 146°E;
- the extension requested had been reduced from five months at the 91st Board meeting to three months at the 92nd Board meeting;
- the requested extension was time-limited and qualified.

Consequently, the Board decided to accede to the request from the Administration of Indonesia to extend the regulatory time-limit to bring into use the frequency assignments to the PSN-146E satellite network in the frequency bands 17.7–21.2 GHz and 27–30 GHz to 31 January 2024.

The Board reminded administrations that detailed explanations and complete information should be provided in support of each request, including justification for the length of the extension requested.”

7.4.9 It was so **agreed**.

7.5 Submission from the Administration of Papua New Guinea requesting an extension of the regulatory time-limit to bring into use the frequency assignments to the MICRONSAT satellite system (Document RRB23-1/13)

7.5.1 **Mr Laurenson (acting Head SSD/SPR)** introduced Document RRB23-1/13, in which the Administration of Papua New Guinea provided the additional information requested by the Board at its 91st meeting in support of the requested extension to bring into use the frequency assignments of the MICRONSAT satellite network in the Q/V bands subject to Resolution **771 (WRC-19)** from 23 November 2022 to 10 March 2024.

7.5.2 In its detailed evidence that all conditions had been satisfied for the case to qualify as a situation of *force majeure*, the administration considered that the Russian Federation/Ukrainian crisis and the cancellation of the launch licences had made it impossible and illegal for the MICRONSAT operator to use a Soyuz rocket. Those events had been unforeseen and the MICRONSAT operator had taken all possible actions to perform its obligations, including seeking an alternate satellite with the same parameters as BW3 and obtaining a new launch vehicle to deliver the satellite to its final orbit before expiry of the regulatory deadline. The administration asserted that there was a causal effective connection between the event constituting *force majeure*, namely the Russian Federation/Ukrainian crisis, and the failure of the operator to fulfil its obligations. With regard to information on any new launch window proposed by the Russian launch services provider, GK Launch Services (GK) following the launch delay, the administration noted that the launch had been postponed because of issues with its main payload (Korean Aerospace Industries satellite KAI CAS500-2) unrelated to BW3. The *force majeure* event had occurred while GK was in the process of rescheduling the launch in time to reach the regulatory deadline. Documentation to justify the requested length of the extension, information on the time required for orbit raising and validation of the information on the BW3 electric propulsion system was set out in Annex 4.

7.5.3 He concluded by noting that the requested extension to 10 March 2024 was 18 months after the launch date and 15 months after expiry of the regulatory deadline.

7.5.4 The **Chairman** said that the Board might also wish to consider whether co-passenger delay applied, since the Administration of Papua New Guinea had referred to that issue in its submission.

7.5.5 **Ms Beaumier** recalled that the launch was to have been rescheduled for the first or second quarter of 2022, but no date had been confirmed because of the *force majeure* event – the Russian Federation/Ukraine conflict – and because the launch authorization licence had been cancelled. The

MICRONSAT operator had been unable to find a gap filler and had found an alternate launch service provider. The BW3 satellite had been launched by SpaceX, but not into its previously planned orbit. Accordingly, it would take much longer (up to 18 months) to reach its orbital position.

7.5.6 The Administration of Papua New Guinea had initially indicated that the launch planned for the fourth quarter of 2021 had been delayed by GK due to internal technical and operational issues. However, it now stated that the reason was co-passenger delay due to the lack of readiness of the primary mission, the Korean Aerospace Industries satellite KAI CAS500-2. To address the Board's request for specific clarification of certain issues at its previous meeting, the Administration of Papua New Guinea referred to Annex 4, now validated by a seemingly reputable source but which appeared almost identical to that submitted to the previous meeting. No explanation had been provided regarding the satellite manufacturing schedule set out in the chart in Annex 2 and there was no information on the satellite manufacturer or evidence that the satellite had been on schedule to be delivered on time. She had sought that information from publicly available press releases of the satellite operator (AST) and had found discrepancies with respect to the information presented in the submission. In a July 2021 press release, the satellite operator had announced an agreement with SpaceX for the launch of the BW3 satellite with a planned launch date of March 2022. Furthermore, in a December 2021 press release, the satellite operator had indicated that it was targeting a revised launch window of summer 2022 to provide additional time for assembly, testing and final launch preparation of the BW3 satellite. While satellite operators often held preliminary discussions and signed preliminary agreements with different launch service providers to keep their options open, it appeared from the press releases that GK was no longer being considered in 2021.

7.5.7 Given that the decisions to use a US launch service provider and delay the launch window were made well before the *force majeure* event invoked, the delay was self-induced and the Board was not in a position to grant an extension on the grounds of *force majeure* or co-passenger delay. As a satellite had been launched, however, the Board might wish to instruct the Bureau to retain the assignments until the end of WRC-23, to give the administration an opportunity to submit its request to the conference.

7.5.8 **Mr Vallet (Chief, SSD)**, responding to a question from **Ms Mannepalli** regarding Annex 2, said his understanding was that the chart set out in detail the progress in the construction of the BW3 satellite to show that it was ready for the planned launch in the fourth quarter of 2021.

7.5.9 **Ms Mannepalli** said she had considered that the situation qualified as a case of *force majeure* based on the documents submitted. However, in view of the publicly available information to which Ms Beaumier had referred, she was unsure. Noting that a satellite had already been launched, she suggested that the Board should not instruct the Bureau to cancel the filings but should give the administration an opportunity to submit its extension request to WRC-23.

7.5.10 **Mr Henri** thanked Ms Beaumier for the additional information, the details of which should be made available to all Board members. There were two more Board meetings before WRC-23, and it would be advisable for the Board to finalize the issue, if possible before WRC-23, so as not to burden the conference, which already had a very heavy agenda. He would also be reluctant for the Board to take a hasty decision to refer the case to WRC-23 on the basis of information not formally submitted to the meeting. The Administration of Papua New Guinea should therefore be invited to provide information to the 93rd Board meeting to clarify the discrepancies noted. According to publicly available information, the BW3 satellite, which had been at an orbit of 500 km on 6 February 2023, was raising at a rate of 10 km per month. The estimated 18-month period for orbit raising was therefore reasonably accurate.

7.5.11 **Mr Talib** said he had initially considered that the situation qualified as a case of *force majeure*. However, based on the information to which Ms Beaumier had referred and should be made available to Board members, further clarifications were required. Noting the benefits of the project

and the investments already made, the Board should send a positive signal to the administration by requesting further information, including on certain dates and on how the situation could still qualify as a case of *force majeure*.

7.5.12 **Mr Linhares de Souza Filho** said that he, too, had initially considered that the situation qualified as a case of *force majeure* and thanked Ms Beaumier for her observations. The additional information was publicly available and should be taken seriously, even though it had not formed part of the submission. The Administration of Papua New Guinea should be given an opportunity to provide additional information to the 93rd meeting of the Board so that a decision could be taken and the case did not have to be referred to WRC-23.

7.5.13 **Mr Cheng** thanked Ms Beaumier for her detailed and convincing analysis and noted that the Administration of Papua New Guinea had not addressed all the issues identified by the Board at its 91st meeting. Without information on any new launch window proposed by GK following the launch delay after the fourth quarter of 2021, the Board would not know whether it would have been possible to meet the regulatory deadline for bringing into use. As the satellite had already been launched, the Board should instruct the Bureau to retain the filing until the end of WRC-23, to give the administration an opportunity to present additional information to the 93rd meeting or go directly to the conference.

7.5.14 The **Director** recalled that the Board had always been very careful in taking decisions when a satellite was already in orbit. A cautious approach should be taken with respect to publicly available information, such as press releases, and its validity and accuracy should be verified, particularly when it contradicted the information provided by the administration. The Board might therefore wish to request further clarification. As there were still two meetings before WRC-23, the Board had plenty of time to carefully assess all the information and take a decision.

7.5.15 The additional information having been made available and following informal discussions, **Ms Beaumier** said that the Board might wish to invite the Administration of Papua New Guinea to clarify the discrepancies with respect to the publicly available information and how the situation could still qualify as a case of *force majeure*. It should also instruct the Bureau to continue to retain the assignments in the Master Register until the end of the 93rd Board meeting.

7.5.16 **Mr Henri** said that the AST press releases appeared to contradict some of the information provided by the Administration of Papua New Guinea in its submission and the grounds for invoking *force majeure* on the basis of the Russian Federation/Ukrainian crisis. According to the AST press release of 29 July 2021, the BW3 satellite was expected to launch aboard a SpaceX mission in March 2022. Such a launch would have enabled the regulatory deadline under Resolution 771 (WRC-19) (23 November 2022) to have been met. According to the November 2021 press release, however, the BW3 satellite was entering the last stage of build, integration and testing. That information would indicate that the satellite would not have been ready for launch and was not consistent with the indication in the submission from the Administration of Papua New Guinea of the planned launch with GK in the fourth quarter of 2021. Furthermore, according to the December 2021 press release, the launch window with SpaceX had been rebooked at the request of AST to target summer 2022. He noted that the BW3 satellite had actually been launched on 10 September 2022.

7.5.17 The Board should request precise information from the administration to address discrepancies with respect to the three press releases, which it might wish to attach. The Board should then have sufficient information to take a final decision on the case at its 93rd meeting. It should instruct the Bureau to maintain the frequency assignments until the end of that meeting.

7.5.18 **Ms Beaumier** noted that Mr Henri's analysis was aligned with her own.

7.5.19 **Ms Mannepalli** agreed that the Board should seek precise information from the Administration of Papua New Guinea and might wish to attach the press releases.

7.5.20 The **Chairman**, supported by **Ms Beaumier**, said that it would not be appropriate to attach press releases to the Board's conclusion. It could, however, make a precise reference to the source. He proposed that the Board should conclude on the matter as follows:

“The Board considered in detail the submission from the Administration of Papua New Guinea as contained in Document RRB23-1/13 and thanked the administration for providing the additional information requested at the 91st Board meeting. The Board noted from the submission that:

- the original launch of the satellite to an orbit at 700 km had been planned for the last quarter of 2021;
- the initial delay in the launch of the satellite had been caused by the lack of readiness of the primary mission, resulting in a case of co-passenger delay;
- the launch date had been rescheduled for the first or second quarter of 2022;
- due to the Russian Federation/Ukraine crisis, the launch authorization licence had been suspended;
- despite its efforts, the Administration of Papua New-Guinea had been unable to find a suitable in-orbit replacement satellite;
- a different launch provider had been found, resulting in the launch of the BW3 satellite on 10 September 2022 into an orbit at 500 km;
- the lower orbit altitude had required an 18-month orbit-raising period;
- there was a lack of information on the satellite manufacturer and of evidence on the satellite delivery schedule.

The Board further noted discrepancies between the information provided and public press releases of the satellite operator, in particular that:

- a launch agreement had already been reached with an alternate launch provider in July 2021, with an initial launch date in March 2022;
- in December 2021, the satellite operator had decided on a revised launch window targeting summer 2022 and providing additional time for assembly and testing of the BW3 satellite; that window was incompatible with the regulatory time-limit of 23 November 2022 to bring into use the frequency assignments to the MICRONSAT satellite system.

Based on that information, the Board concluded that it could not grant an extension of the regulatory time-limit to bring into use the frequency assignments to the MICRONSAT satellite system at its 92nd meeting. The Board instructed the Bureau to invite the Administration of Papua New Guinea to provide information to the 93rd Board meeting that would clarify the discrepancies noted and how the situation could still qualify as a case of *force majeure* under those circumstances.

The Board further instructed the Bureau to continue to take into account the frequency assignments to the MICRONSAT satellite network in the frequency bands 37.5–42.5 GHz (space-to-Earth), and 47.2–50.2 GHz and 50.4–51.4 GHz (Earth-to-space), until the end of the 93rd Board meeting.”

7.5.21 It was so **agreed**.

8 Cases of harmful interference

8.1 Submission from the Administration of the United Kingdom of Great Britain and Northern Ireland regarding harmful interference to emissions of United Kingdom high frequency broadcasting stations published in accordance with RR Article 12 (Document RRB23-1/9 and § 4.3 of Document RRB23-1/6 (Rev.1))

8.1.1 **Mr Vassiliev (Chief, TSD)** introduced Document RRB23-1/9, in which the Administration of the United Kingdom commented on the minutes and decision of the 91st Board meeting with respect to its long-standing case with the Administration of China. The Administration of the United Kingdom pointed out that it was inaccurate to say that it had reported no further cases of interference; rather, it had agreed to stop submitting reports of harmful interference in June 2019, at a bilateral meeting with the Administration of China organized by the Bureau. It would now resume submitting such reports. The Administration of the United Kingdom welcomed the Board's decision at its 91st meeting to cite RR No. **15.34**, which it believed "framed the potential for any future bilateral meetings". On the other hand, it had difficulty understanding what additional information it might provide. It would be happy to attend a further bilateral meeting, but only once it was satisfied that all harmful interference incidents relating to the case had ceased.

8.1.2 In reply to a question from **Ms Mannepalli**, he added that § 4.3 of Document RRB23-1/6(Rev.1) reported on the Bureau's efforts to convene a further bilateral meeting between the Administrations of China and the United Kingdom. The former had agreed to such a meeting; the latter had declined, on the grounds set out in Document RRB23-1/9.

8.1.3 In reply to a question from **Ms Beaumier**, he said that the Bureau had not yet received renewed reports of harmful interference from the Administration of the United Kingdom but expected to do so.

8.1.4 **Ms Hasanova** said that bilateral meetings were a very useful means of bringing a halt to harmful interference. The Board should encourage both administrations to organize such a meeting and find a solution to the technical issues in the case.

8.1.5 **Mr Talib**, noting the absence of concrete progress since the last meeting and the position of the Administration of the United Kingdom on a further bilateral meeting, proposed that the Board maintain the conclusion it had reached at its 91st meeting and defer examination of the case to its 93rd meeting, at which time it could also consider the delayed documents deferred to that meeting and any reports of harmful interference sent to the Bureau in the meantime.

8.1.6 **Mr Fianko** agreed with that proposal. He pointed out that the case involved two very large administrations and posed what was essentially a tactical problem. Citing the experience of the African region, he stressed that goodwill and cooperation were key, especially in cases involving no major technical difficulties and where the administrations concerned knew exactly what had to be done.

8.1.7 **Ms Beaumier** agreed that there had not been much progress since the previous meeting and that some elements of the Board's previous decision could be repeated, namely that the Bureau had again tried to convene a bilateral meeting between the Administrations of China and the United Kingdom, in vain; that the Administration of China should promptly implement adequate measures to eliminate all harmful interference to the HF emissions reported by the United Kingdom; that both administrations should exercise the utmost goodwill and spirit of cooperation, with a view to resolving the cases of harmful interference; and that the Bureau should continue to support both administrations and endeavour to convene a bilateral meeting. The decision should also mention that the Administration of the United Kingdom planned to resume submitting reports of harmful interference.

8.1.8 The **Chairman** proposed that the Board should conclude as follows on the matter:

“With reference to Document RRB23-1/9 and § 4.3 of Document RRB23-1/6 (Rev.1), the Board considered the submission from the Administration of the United Kingdom. The Board noted that:

- the Bureau had tried yet again to convene a bilateral meeting between the Administrations of China and the United Kingdom, without success;
- after having suspended the submission of new reports of harmful interference, the Administration of the United Kingdom had indicated that it would resume submission of such reports should interference reoccur.

The Board again strongly urged the Administration of China to promptly implement adequate measures to eliminate all harmful interference to the HF emissions previously reported by the Administration of the United Kingdom. Furthermore, the Board urged both administrations to exercise the utmost goodwill and spirit of cooperation, with a view to resolving the cases of harmful interference.

The Board instructed the Bureau to:

- invite the Administration of the United Kingdom to submit the latest information on the interference situation;
- pursue its efforts to convene a bilateral meeting between the Administrations of China and the United Kingdom, so as to facilitate discussions and address the cases of harmful interference;
- continue to provide support to the two administrations;
- report on any progress to the 93rd Board meeting.”

8.1.9 It was so **agreed**.

9 Submission by the Administration of Lithuania regarding a request to reassess the findings of its frequency assignments recorded in the MIFR in cases where Article 48 of the ITU Constitution had been invoked (Document RRB23-1/2)

9.1 **Mr Bogens (Head TSD/FMD)** introduced Document RRB23-1/2, in which the Administration of Lithuania requested the Board to reassess its 11 frequency assignments to land mobile stations operating in the 3400–3600 MHz band and recorded in the MIFR following the instructions of the Board’s 86th meeting. The Administration requested that the assignments be reassessed in accordance with Resolution 216 (Bucharest, 2022), on the use of frequency assignments by military radio installations for national defence services, having indicated that its understanding of *resolves* 3 differed to the Bureau’s. It also drew attention to *recognizing e)* of Resolution 216, which stated “that the rights for international recognition and protection of any frequency assignments are derived from the recording of those frequency assignments in the MIFR and conditioned by the provisions of the Radio Regulations”. Noting that no recorded assignments of the Russian Federation had been processed according to the provisions of RR Chapter **III**, the Administration of Lithuania requested the Board to instruct the Bureau that only assignments in conformity with the provisions of RR Article **8** had the right to international recognition and to remove the finding observation “H” (non-interference, non-protection basis with respect to the frequency assignments of the Russian Federation) from the 11 assignments.

9.2 Outlining the background to the case, he recalled that the Administration of Lithuania had started the coordination of its 11 assignments to the land mobile service under RR No. **9.21** in July 2019. The Administration of the Russian Federation had objected to those 11 assignments in November 2019. It had invoked Article 48 of the ITU Constitution (CS) with respect to its assignments to FSS earth stations, which were typical FSS stations notified as part of satellite network

filings recorded in the Master Register with reference to CS Article 48. Detailed characteristics, such as the location of earth stations, had not been provided. On 6 April 2020, the Administration of Lithuania had voluntarily requested the Bureau to record its 11 frequency assignments in the Master Register under RR No. **11.31.1**, affirming that those assignments would not cause harmful interference to nor claim protection from the frequency assignments of the Russian Federation. At the 86th RRB meeting, the Administration of Lithuania had requested the Board to develop a new rule of procedure on the treatment of objections based on assignments for which CS Article 48 had been invoked. At that time, the Board had been unable to accede to that request because the Plenipotentiary Conference (PP-22) had been expected to consider the application of CS Article 48 and the guidance provided might have had an impact on the findings of the 11 frequency assignments. The Board had instructed the Bureau to accept the objections of the Russian Federation and to process the notification of the 11 assignments in accordance with RR No. **11.31.1**, making reference to CS Article 48 in the coordination information field.

9.3 In reply to a request from **Ms Hasanova, Ms Beaumier and Mr Henri, Mr Bogens (Head TSD/FMD)** confirmed that the Bureau would provide the letters to which the Administration of Lithuania had referred in its submission.

9.4 **Ms Beaumier** said that it was clear, in light of Resolution 216 (Bucharest, 2022), in particular *recognizing e*), that if CS Article 48 was invoked with respect to assignments not recorded in the MIFR, those assignments would not be entitled to protection. The Board should therefore instruct the Bureau to remove finding observation “H” from the recorded assignments of the Administration of Lithuania with respect to the Russian Federation. The same action should be taken with respect to any other assignments recorded with a similar finding for the same reason.

9.5 **Mr Bogens (Head TSD/FMD)** said that, in its letter of 11 November 2022, the Administration of Lithuania, referring to *recognizing e*) of Resolution 216 (Bucharest, 2022), had stated that the Radio Regulations framework addressed processing, recording and maintenance in the MIFR of frequency assignments irrespective of whether they were used for civil or military radio installations and of whether or not CS Article 48 had been invoked. However, the *resolves* part of the resolution did not specify how to treat objections based on assignments for which CS Article 48 had been invoked. It did not oblige objecting administrations to provide information on those assignments and did not state that such assignments should be subject to all relevant provisions of the Radio Regulations.

9.6 In its reply dated 21 November 2022, the Bureau had stated that it was not in a position to confirm that statement, which represented an interpretation of the *recognizing* part of Resolution 216. With regard to the statement by the Administration of Lithuania that the Bureau had misinterpreted *resolves* 3 of Resolution 216, the Bureau had referred to examples that made a clear distinction between assignments to non-military installations and those subject to CS Article 48 by stipulating that “frequency assignments shall be subject to all relevant provisions of the Radio Regulations” in the event that CS Article 48 was revoked for those assignments. The Bureau had also indicated that only *resolves* 4 of Resolution 216 would be applicable if CS Article 48 was invoked before 15 October 2022. However, the Bureau had received no communication revoking the invocation of CS Article 48 from the Administration of the Russian Federation with respect to the case in question. Since the interpretation of Resolution 216 and its application to the provisions of the Radio Regulations concerning coordination, notification and recording in the MIFR were within the full purview of the Board, the Bureau had advised the Administration of Lithuania to submit its request to the Board.

9.7 **Mr Henri** said he understood that the Administration of Lithuania wished the Board to reassess the findings of 11 frequency assignments that the administration had voluntarily requested the Bureau to record in the Master Register under RR No. **11.31.1**. He also understood that the

frequency assignments of the Administration of the Russian Federation were in conformity with *resolves* 1 of Resolution 216 (Bucharest, 2022), and that the Bureau was not seeking clarification from the Russian Federation in that regard. The objections of the Administration of the Russian Federation were based on recorded frequency assignments to a space station for which the only available earth station information concerned transmission to and reception from typical earth stations. He asked whether the Administration of the Russian Federation's objection under RR No. **9.21** would be receivable against terrestrial assignments in another country, as no frequency assignments to typical or specific earth stations had been recorded that might trigger a coordination request under RR No. **9.17**. If the objection was considered receivable, it might be difficult for the Board to accede to the request of the Administration of Lithuania.

9.8 **Mr Bogens (Head TSD/FMD)** said that the Administration of the Russian Federation had not referred to any particular station in its objection, having invoked CS Article 48. The Bureau had been unsure how to treat such objections and had referred the matter to the 86th Board meeting. As information on typical earth stations had been used as the basis for the objection, the Bureau had no means of establishing whether or not it was receivable under RR No. **9.21**. When CS Article 48 was invoked, however, the Bureau did not normally question the validity of objections.

9.9 **Mr Vassiliev (Chief, TSD)** added that the decision of PP-22 was very clear: only assignments recorded in the Master Register could serve as the basis for objections, and that also applied to CS Article 48. In practice, however, certain elements needed to be clarified for the Bureau to be able to apply that decision. First, there were several satellite networks of the Russian Federation and associated receiving earth stations that should normally be protected. Yet, it was not clear whether associated stations whose location and characteristics were not known could be considered as a valid basis for an objection. Second, the Russian Federation had not indicated which satellite network and stations were affected. Should an administration invoking CS Article 48 provide the assign IDs for potentially affected assignments? Also, could typical stations notified without the characteristics necessary for compatibility be used as the basis for an objection under CS Article 48? The Board's responses to those questions would affect the decision about the 11 assignments of the Administration of Lithuania.

9.10 **Mr Henri** recalled that, when the Board had considered the case at its 86th meeting, it had not delved too deeply into the substance because the Administration of Lithuania had voluntarily requested the Bureau to record the 11 frequency assignments in the Master Register under RR No. **11.31.1**. The issue as to whether an objection under RR No. **9.21** could be based on a recorded assignment to a space station was an interesting one, since coordination of space stations, including associated typical earth stations, was between space stations. He had a question that did not refer directly to CS Article 48: in principle, could an objection under RR No. **9.21** be taken into account for a frequency assignment to earth stations that were not recorded in the Master Register, but which, as typical earth stations, were part of a satellite network for which the only recorded frequency assignments were the transmitting and receiving frequency assignments at the space stations?

9.11 **Mr Bogens (Head TSD/FMD)**, responding to a question from **Mr Linhares de Souza Filho**, confirmed that in accordance with RR No. **5.430A** the power flux-density (pfd) produced at 3 m above ground had not exceeded $-154.5 \text{ dB(W/(m}^2 \text{ 4 kHz))}$ for more than 20 per cent of the time at the border of the territory of the Administration of the Russian Federation.

9.12 **Mr Linhares de Souza Filho** said that as the pfd limit set out in RR No. **5.430A** had not been exceeded, the assignments of the Administration of Lithuania would not cause harmful interference to FSS satellite networks of the Administration of the Russian Federation. The finding observation "H" could therefore be removed.

9.13 **Ms Beaumier** said that, following its discussion of the case at its 86th meeting, the Board had sought recognition from the Plenipotentiary Conference that, regardless of whether CS Article 48 had

been invoked, assignments used by military radio installations were entitled to international recognition and to the right to claim protection from harmful interference only if they were recorded in the MIFR. In its update to PP-22, the Board had indicated that it had not been able to take a decision on a coordination request for terrestrial frequency assignments for which the characteristics of the assignment on which the objection was based had not been provided. The text in *recognizing e)* had been agreed by the conference to address that issue. If CS Article 48 was invoked vis-à-vis a satellite network and was associated with typical earth stations, that was one thing; however, if it was invoked vis-à-vis the coordination of terrestrial services and earth stations, specific earth stations should be recorded. On the basis that none had been identified or recorded vis-à-vis the 11 assignments, the finding should be removed.

9.14 **Mr Cheng** said that Resolution 216 (Bucharest, 2022) had taken a balanced approach. On the one hand, *recognizing e)* indicated that the rights for international recognition and protection of any frequency assignments were derived from recording in the MIFR. On the other hand, *recognizing further* noted the need to maintain the sensitivity and confidentiality of the information provided for frequency assignments for which CS Article 48 was invoked. While the Board also needed to find a balanced solution, there was no actual interference at present. The two administrations should be encouraged to communicate with each other should interference occur.

9.15 **Mr Vassiliev (Chief, TSD)** said that the Bureau would appreciate further guidance with respect to the treatment of typical stations since there were no provisions stating that typical stations were different from individual stations from the point of view of protection once they had been recorded in the Master Register. The Bureau would appreciate confirmation of its understanding that if earth stations were recorded in the MIFR as part of a satellite network, they were typical stations and had the same protection as individual stations. It was also the Bureau's understanding that administrations should provide the IDs of affected assignments. The Lithuanian assignments complied with the pfd limit at the border, the purpose of which was to protect typical earth stations operating in the band, and technically there would be no problem of interference with the Russian Federation. However, the Bureau would appreciate general instructions on what action to take should a Lithuanian station that exceeded the pfd limit be notified and on whether or not the objection under RR No. **9.21** from the Russian Federation would be valid.

9.16 **Mr Linhares de Souza Filho** said that, in the case under discussion, since a typical earth station was part of any filing of the Administration of the Russian Federation, it theoretically had the same status of protection as any specific earth station recorded in the MIFR. He underscored that the finding observation "H" could therefore be removed; but should the pfd limit be exceeded, the affected administration could claim protection.

9.17 Taking into consideration that a typical earth station, when included as a part of a satellite network filing, had the same protection right as a specific earth station in the MIFR, he suggested the following general procedure in cases where notification was subject to agreement under RR No. **9.21** and where the pfd limit was included in a specific provision, e.g. Nos. **5.430A** and **5.431.B**: (i) an administration that had a typical earth station included in its satellite network filing operating in the same frequency as the new assignment could not claim protection when the measured pfd did not exceed the pfd limit in the relevant footnote, even if the notifying administration had not received agreement or concluded coordination for the new frequency assignment; (ii) if the pfd limit was exceeded and if the notifying administration had not received agreement or concluded coordination with the administration affected, the latter could claim protection in the event of actual harmful interference; and (iii) Appendices **9** and **10** should also be applied.

9.18 **Ms Beaumier** said that she would prefer to focus on the specific case at the present meeting rather than make a general statement on the issue.

9.19 **Mr Henri**, noting that RR No. **5.430A** called for the application of No. **9.21**, said that the provisions of Nos **9.17** and **9.18** would also apply in the coordination phase, and also set out pfd limits. He asked the Bureau for information on its past practice concerning the receivability of an objection under RR No. **9.21** concerning frequency assignments to earth stations not recorded in the MIFR.

9.20 **Mr Vassiliev (Chief, TSD)** said that the procedure under RR No. **9.21** consisted of three or four main steps. Taking the current case as an example, he said that the Administration of Lithuania had notified base stations; in accordance with RR No. **9.36**, the Bureau had subsequently identified administrations with which coordination might need to be effected. At that stage, the Administration of the Russian Federation had not been identified as affected since the pfd limit had been respected. There was a four-month period during which any administrations could join the procedure and submit objections, as the Administration of the Russian Federation had done. At that juncture, the objections were receivable, as the Bureau had no obligation to verify their technical justification. The objections were published in a special section and the administrations concerned should coordinate. In the event of disagreement at the end of that process, the requesting administration could ask the Bureau for assistance (that had not been done in the case under consideration). The Bureau would then verify if the objections were technically justified. Had the Administration of Lithuania asked the Bureau for assistance, the Bureau would have deemed the objections not to be technically justified because the pfd limit had been respected.

9.21 Responding to further questions from **Mr Henri** regarding the process for submitting an objection under RR No. **9.21**, which was an agreement-seeking procedure rather than a coordination procedure to which Nos. **9.36** and **9.27** referred, **Mr Vassiliev (Chief, TSD)** said that, following the identification of administrations under RR No. **9.36** and as provided for in RR No. **9.52**, an administration that did not agree to the request for coordination had four months from the date of publication of the special section to inform the requesting administration that it disagreed and to provide information concerning its own assignments upon which that disagreement was based. He stressed that there was no role for the Bureau at that stage. Once the four-month period was over, the second part of the special section was published and administrations could continue coordination, request assistance from the Bureau or notify in the MIFR under RR No. **11.31.1**.

9.22 **Mr Henri** said that the procedure outlined with respect to RR Nos. **9.36** and **9.27** appeared to relate to a finding by the Bureau under RR No. **11.32**. While some aspects of the approach taken to trigger coordination might also be applicable to the receivability of a comment under RR No. **9.21**, he asked what action the Bureau usually took with respect to an objection under RR No. **9.21** and a finding under RR No. **11.31**.

9.23 **Mr Vassiliev (Chief, TSD)** said that the RR No. **9.21** process was similar to other coordination cases. Before bringing any station into operation, administrations were obliged to effect coordination under RR Article **9**, whether under RR No. **9.21** or any other provision, and to notify the station in the MIFR in order to obtain rights and international recognition. For coordination under RR No. **9.21**, the Bureau examined notices under RR No. **11.31**, not No. **11.32**, since that provision was not applicable to RR No. **9.21**. In the case under discussion, the Administration of Lithuania had failed to coordinate and had notified the assignments in the MIFR on condition that they would not cause harmful interference to another country.

9.24 **Mr Henri**, agreeing that for the assignments in question, there was no coordination under RR No. **11.32**, said he understood that the notices had been processed in accordance with RR No. **11.31.1**, as no agreement had been reached with the Russian Federation after the No. **9.21** agreement-seeking procedure had been completed. Noting that the Bureau had considered the Russian objection under RR No. **9.21** to be receivable, he said that as the pfd limit set out in RR No. **5.430A** had not been exceeded and there was no probability of harmful interference, he could agree to revise

the findings of the 11 frequency assignments of the Administration of Lithuania. That position was not based on the information submitted by the Administration of Lithuania in Document RRB23-1/2, but on the application of the Radio Regulations. He asked whether an objection under RR No. 9.21 would be receivable in respect of recorded frequency assignments to the space station only.

9.25 **Mr Vassiliev (Chief, TSD)** thanked Mr Henri for the interesting question. Outlining the general approach, he said that there were some principles in the Radio Regulations concerning coexistence of space and terrestrial services. For the uplink, space receivers were protected from terrestrial transmitters by power limits imposed on terrestrial services. For the downlink, terrestrial services were protected, mainly by pfd limits. With regard to earth stations and terrestrial services, the principle was equality of rights to operate and protection in both directions. Certain provisions of the Radio Regulations, including RR Nos. 9.17 and 9.18, were applied to ensure that there was no interference in both directions of transmission. The basic principle was for earth stations and terrestrial stations to be coordinated and recorded. However, the RR No. 9.21 agreement-seeking procedure was slightly different from other Article 9 coordination procedures because the country seeking coordination initially had a lower status and had to coordinate with all services, both transmitting and receiving stations. According to Appendix 5, terrestrial stations should be coordinated under RR No. 9.21 and take into account all terrestrial and space stations of other countries that were either in operation or would be brought into operation within the coming three years. It was the Bureau's previous understanding that those earth stations, which were recorded with all characteristics in the MIFR as part of the satellite network, should be protected given the requirement for an administration seeking agreement under RR No. 9.21 to protect all stations of another country.

9.26 **Mr Henri** said it was his understanding that since the Russian objections were receivable, and as no agreement had been reached under the RR No. 9.21 agreement-seeking procedure, the notice should be examined under RR No. 11.31, and the Administration of Lithuania should accept any potential interference from the Russian Federation to its terrestrial frequency assignments recorded under RR No. 11.31.1.

9.27 **Ms Beaumier**, having welcomed the Bureau's detailed explanations, said that she had some difficulty in accepting that, under RR No. 9.21 it would suffice to protect earth stations associated with a satellite network filing. Such earth stations were identified in the filing to provide information and characteristics to enable coordination between satellite networks, not between a terrestrial station and earth stations. Drawing attention to the Rule of Procedure on No. 9.21, she said that the Board would probably benefit from informal discussions on the issue.

9.28 **Mr Linhares de Souza Filho** agreed that informal discussions were required and suggested that the Board should not engage in a general discussion at present and should focus on the request from the Administration of Lithuania.

9.29 Following informal discussions, **Mr Henri** said that the Board had come to an understanding that it could agree to revise the findings of the 11 frequency assignments of the Administration of Lithuania on the grounds that those assignments were in conformity with the pfd limits as stipulated in RR No. 5.430A and there was no probability that they would cause harmful interference to any earth station within the territory of the Russian Federation. There was no rule of procedure on which the Board could base that approach, but a similar approach existed between space services in respect to RR No. 9.21 in the Rule of Procedure on RR No. 9.36, in particular in the table annexed to the rule of procedure which could serve as a basis for reflexion.

9.30 The **Chairman** proposed that the Board should conclude on the matter as follows:

"The Board considered in detail the submission from the Administration of Lithuania as contained in Document RRB23-1/2. The Board noted that:

- the Administration of Lithuania had started the coordination of its 11 frequency assignments to the land mobile service under RR No. **9.21** in July 2019;
- the Administration of the Russian Federation had objected to the coordination under RR No. **9.21** of the 11 frequency assignments to land mobile stations of the Administration of Lithuania by invoking Article 48 of the ITU Constitution with respect to frequency assignments to earth stations in the fixed-satellite service (FSS);
- the FSS satellite networks upon which the disagreement under Article 48 of the ITU Constitution had been based had been recorded in the MIFR containing only the characteristics of typical earth stations associated with those networks;
- the Administration of Lithuania had voluntarily requested the Bureau to record its 11 frequency assignments in the MIFR under RR No. **11.31.1** on condition that those frequency assignments did not cause harmful interference to, nor claimed protection from, the frequency assignments to earth stations of the Administration of the Russian Federation;
- the frequency assignments of the Administration of Lithuania were in conformity with all other relevant provisions of the Radio Regulations and had been recorded in the MIFR with the finding reference “X/RR9.21”, finding observation “H” and a reference to “CS Article 48” in the coordination information field;
- the international rights and obligations of administrations in respect of their own and other administrations’ frequency assignments were derived from the recording of those assignments in the MIFR (RR No. **8.1**).

In application of RR No. **14.1**, the Board had reviewed the finding of the 11 terrestrial frequency assignments of the Administration of Lithuania. In that regard, the Board noted that:

- based on the calculation and verification by the Bureau, and in accordance with RR No. **5.430A**, the power flux-density (pfd) produced at 3 m above ground had not exceeded $-154.5 \text{ dB(W/(m}^2 \text{ 4 kHz))}$ for more than 20 per cent of the time at the border of the territory of the Administration of the Russian Federation;
- WRC-07 had established the limit based on the protection of typical earth stations in the FSS, which had been the basis for objections to the frequency assignments of the Administration of Lithuania;
- such conformity of the 11 assignments with the pfd limit would not cause harmful interference to FSS satellite networks of the Administration of the Russian Federation, including those FSS networks for which Article 48 of the ITU Constitution had been invoked.

Bearing in mind that:

- the main objective of the RR No. **9.21** agreement-seeking procedure was to ensure the operation of stations of a service of other administrations free from harmful interference;
- the 11 terrestrial frequency assignments of the Administration of Lithuania were in conformity with the pfd limits as stipulated in RR No. **5.430A**;
- a similar approach existed for space services in the Rule of Procedure on RR No. **9.36** (see Case 3 of the Annex to the Rule of Procedure on RR No. **9.36**).

Consequently, the Board decided to instruct the Bureau to revise the findings of the 11 frequency assignments of the Administration of Lithuania with Bureau identifiers 120274030–120274040 by removing the finding reference “X/RR9.21”, finding observation “H” and the reference to Article 48 of the ITU Constitution in the coordination information.

The Board also instructed the Bureau to submit to the 93rd Board meeting a document describing the general practice of the Bureau on the application of the agreement-seeking procedure of RR No. **9.21**,

focusing on, but not limited to, the description of frequency assignments with respect to which the agreement might be required and upon which a disagreement could be based.”

9.31 It was so **agreed**.

10 Submission by the Islamic Republic of Iran regarding the provision of Starlink satellite services in its territory (Document RRB23-1/7)

10.1 **Mr Sakamoto (Head, SSD/SSC)** introduced Document RRB23-1/7, in which the Administration of the Islamic Republic of Iran stated that SpaceX had started providing Starlink satellite services in the country in October 2022, without having first applied for the requisite licence as stipulated in the Iranian regulations on landing rights. In the administration’s view, failure to obtain such a licence raised serious concerns that a private company was using its technology in a manner that might adversely affect the integrity of the infrastructure of a sovereign State and thereby its security and that of its people. The administration had written to SpaceX, inviting it to apply for the licence, and to the Administrations of the United States and Norway, which were responsible for Starlink, asking them to ensure that the unauthorized services ceased, but had received no reply to date except acknowledgement of receipt by the Administration of the United States. The Administration of the Islamic Republic of Iran had also requested the Bureau’s assistance in the matter. In support of its case, it cited the ITU Constitution, RR Article **18** and Resolution **22 (WRC-19)**. It asked the Board to urge the administrations concerned to take full account of the relevant Iranian regulations and to ensure that the unauthorized satellite services ceased and the relevant earth stations on its territory stopped operating.

10.2 The annexes to the document contained the relevant correspondence and the Iranian regulations cited.

10.3 **Ms Hasanova** said that every country had the sovereign right to issue licences in accordance with government regulations. She proposed that the Board should encourage the administrations concerned to exercise utmost goodwill and cooperation with a view to resolving the issue. Should the Administration of the Islamic Republic of Iran request the Bureau’s support to that end, the Bureau could help to organize a meeting of the administrations concerned. The Bureau should report on any progress made to the next Board meeting.

10.4 **Ms Mannepalli** recalled that a similar case involving Starlink in her country, which also had its own landing right policies, had been resolved to her administration’s satisfaction. In her view, the case was an internal Iranian matter, but the Board should nevertheless request the Administrations of the United States and Norway to comply with the regulatory requirements of the Islamic Republic of Iran.

10.5 In reply to three points raised by **Mr Talib, Mr Sakamoto (Head, SSD/SSC)** said that, to the best of his knowledge, the Bureau had received no report from another administration concerning the provision of unauthorized transmissions. He nevertheless suspected that such cases existed; indeed, Resolution **22 (WRC-19)** had been adopted at WRC-19 to limit unauthorized transmissions from earth stations. RR No. **23.13** was very specific to broadcasting-satellite services; he did not think that it could be applied in the case at hand. The Bureau had no information on the earth stations concerned in Iranian territory, nor was it in a position to confirm that Starlink earth stations were actually operating there. The evidence bearing out the Iranian Administration’s claim to that effect was a tweet from the Founder of SpaceX contained in Annex 2 to the document.

10.6 **Ms Beaumier** said that the Administration of the Islamic Republic of Iran was obviously justified in expecting foreign companies to obtain landing rights before providing services in the country. The provision by Starlink of unauthorized satellite services in the country would contravene the provisions of Resolution **22 (WRC-19)**, which instructed the Director of the Bureau to

immediately inform Member States and satellite operating agencies upon receipt of information from an administration detecting an unauthorized uplink transmission from its territory and to work with the administrations involved to resolve the matter. The Administration of the Islamic Republic of Iran had acted in compliance with the resolution and had engaged the Director. She asked whether the Bureau had taken any action to resolve the matter other than to forward the administration's correspondence.

10.6*bis* She agreed with Mr Sakamoto that RR No. **23.13** did not apply but noted that *resolves 3ii*) of Resolution **22 (WRC-19)** stipulated that, if the matter was not resolved, the notifying administrations of the satellite networks or systems associated with the unauthorized transmissions were to cooperate with the reporting administration, to the maximum extent possible. The Board should therefore urge the administrations concerned to abide by Resolution **22 (WRC-19)**, in particular *resolves 3ii*).

10.7 **Mr Henri** said that, if the satellite system filings operated by Starlink had been notified by the Administration of Norway, then it was that administration which bore primary responsibility in the matter. The case raised a serious issue and should be closely followed by the Board as a matter of principle: all administrations had to abide by the Radio Regulations, in particular Article **18** and Resolution **22 (WRC 19)**.

10.8 **Ms Hasanova**, noting that *invites administrations 2* of Resolution **22 (WRC-19)** provided that administrations having identified unauthorized operation of earth stations within their territories should report such cases, said it was her understanding that no such report had been filed.

10.9 **Mr Cheng** stressed three points: notifying administrations had to implement Resolution **22 (WRC-19)** and RR Article **18**: notifying administrations had the ability to limit the operation of transmitting earth stations; and satellite operators had the ability to control access of service for each earth station in a given satellite system.

10.10 **Ms Beaumier** suggested that the Board's conclusion in the matter should make three points: it should remind administrations of their obligation to observe the provisions of RR No. **18.1** and Resolution **22 (WRC-19)**; it should request the Administration of the Islamic Republic of Iran to provide further information on the results of its investigations; and it should express the Board's concern that the administrations involved must do everything in their power to address the issue.

10.11 **Mr Henri** agreed that the Administration of the Islamic Republic of Iran should be asked to provide further technical evidence of the use of transmitting earth stations in the frequency bands used by the Starlink network on Iranian territory. In addition, the Administration of Norway, as the notifying administration, should be reminded of the obligation to comply with RR Article **18** and Resolution **22 (WRC-19)** when using transmitting stations over any territory.

10.12 **Mr Talib** also agreed that the Administration of the Islamic Republic of Iran should be asked to provide further information and a detailed technical report on emissions on Iranian territory originating from the Starlink network. Moreover, the administrations concerned should be asked to start coordination through their respective regulatory agencies so as to ensure that the proper licences were obtained and used, in line with RR Article **18**.

10.13 **Ms Beaumier** said that she was not convinced that Resolution **22 (WRC-19)** stipulated that administrations had a responsibility to coordinate authorizations in such cases or that coordination was even possible in terms of licences.

10.14 **Mr Nurshabekov** observed that many similar cases might in future be brought to the Board's attention by other administrations. The Board's conclusion should refer to SpaceX and ask it to coordinate with administrations.

10.15 **Mr Linhares de Souza Filho** agreed with previous speakers that the Board needed further information from the Administration of the Islamic Republic of Iran and had to underscore the importance of RR Article **18** and Resolution **22 (WRC-19)**. It should defer its final decision on the case to its next meeting.

10.16 **Mr Crescenzo** said that the Board's conclusion should defend two principles: the right of administrations to manage transmissions on their territory, and the need to encourage worldwide communication.

10.17 **Ms Mannepalli**, again citing the experience of her country, considered that the Administration of the Islamic Republic of Iran had already provided evidence of the satellite services being provided on its territory, especially in view of the difficulty in monitoring such activities. Therefore, while she agreed with the Board's conclusion to ask for additional information in that regard, she also felt that the Board should gently remind the Administrations of the United States and Norway of their obligation to comply with Iranian regulatory requirements.

10.18 **Mr Fianko** agreed that the Administration of the Islamic Republic of Iran should be asked for further information if what the Board meant by further information was evidence of actual transmissions by Starlink from within Iranian territory. Until the Board had such evidence, it could not give directions; at most, it could make a general statement. It should not state that there had been a violation until that violation had been proven.

10.19 **Mr Cheng** agreed with previous speakers on the need for further information, but pointed out that it might be difficult for the administration to provide evidence of uplink signals from its territory. The conclusion should therefore mention that the satellite operator had the capability to locate and control access to the service of each station in the system.

10.20 The **Chairman** proposed that the Board should conclude as follows on the matter:

“With reference to Document RRB23-1/7, the Board considered the submission from the Administration of the Islamic Republic of Iran and noted that:

- as per RR No. **18.1**, ‘[n]o transmitting station may be established or operated by a private person or by any enterprise without a licence issued in an appropriate form and in conformity with the provisions of these Regulations by or on behalf of the government of the country to which the station in question is subject’;
- as per *resolves* 1 of Resolution **22 (WRC-19)**, ‘the operation of transmitting earth stations within the territory of an administration shall be carried out only if authorized by that administration’;
- furthermore, as per *resolves* 2 of Resolution **22 (WRC-19)**, ‘the notifying administration for a satellite network or system shall, to the extent practicable, limit the operation of transmitting earth stations on the territory of an administration on which they are located and operated to only those licensed or authorized by that administration’;
- the Administration of the Islamic Republic of Iran had taken actions as foreseen in Resolution **22 (WRC-19)**;
- the Administration had stated that some satellite Internet services had been provided in its territory without authorization but did not provide details of its investigations.

The Board reminded administrations of the need to comply with the provisions of RR Article **18** and Resolution **22 (WRC-19)** and instructed the Bureau to:

- invite the Administration of the Islamic Republic of Iran to provide to the 93rd Board meeting details of its investigation of the presence of unauthorized transmitting earth station transmissions in its territories;

- assist the Administration of the Islamic Republic of Iran in its efforts and to report any progress to the 93rd Board meeting;
- again remind the Administration of Norway, as the notifying administration of the relevant satellite networks, of its obligations under RR Article 18 and Resolution 22 (WRC-19).”

10.21 It was so **agreed**.

11 Submission by the Administration of Liechtenstein requesting the application of *resolves* 12 of Resolution 35 (WRC-19) to the frequency assignments to the 3ECOM-1 and 3ECOM-3 satellite systems (Documents RRB23-1/14 and RRB23-1/14(Corr.1))

11.1 **Mr Laurenson (acting Head, SSD/SPR)** said that Document RRB23-1/14 was the first submission received by the Bureau under *resolves* 12 of Resolution 35 (WRC-19). In the document, which he described in detail, the Administration of Liechtenstein requested the application of *resolves* 12 to the frequency assignments to the 3ECOM-1 and 3ECOM-3 satellite systems. The request had been received by the deadline of 1 March 2023 stipulated in *resolves* 12 and contained the complete information called for.

11.2 In reply to several questions from **Ms Hasanova**, he confirmed that 144 satellites were required to meet milestone M2 for each system; the figure of 300 satellites indicated in the contribution included an option for 12 spare satellites. Those notifications were currently being examined by the Bureau. Each system had been brought into use by a different satellite and had subsequently been suspended for three years as of February 2023.

11.3 **Mr Lihares de Souza Filho** said the fact that consideration of the delayed contributions received in response to Liechtenstein’s request had had to be deferred to the next Board meeting suggested that administrations had not had enough time to present their views on the document. The Board’s final decision should therefore also be deferred to the next meeting.

11.4 **Ms Mannepalli**, noting that the deadline stipulated in *resolves* 12 was intended to enable comments from administrations, endorsed that point of view.

11.5 **Mr Cheng** also endorsed that point of view. In addition, according to the contribution, coordination for both satellite systems was still at an early stage and other administrations might require more time to respond.

11.6 **Ms Beaumier** said that, in adopting *resolves* 12, WRC-19 had envisaged a suitable period for administrations to provide comments and that the timing of Liechtenstein’s contribution did not afford sufficient time for such comments. She therefore agreed with previous speakers that the Board was not in a position to make a final decision at the current meeting. That was no reason, however, to defer discussion of the document to the next meeting. It was important to provide administrations with feedback on the Board’s thinking in such matters.

11.7 **Ms Hasanova** said that, while she was sympathetic to the contribution of the Administration of Liechtenstein and the work it had involved, she agreed with previous speakers that other administrations needed time to comment and that consideration of the matter should therefore be deferred to the next Board meeting.

11.8 Responding to a comment from the **Chairman, Mr Lihares de Souza Filho** said that Resolution 35 (WRC-19) was very clear: the Board had to report to WRC-23 only if it was not in a position to conclude favourably on a case. It might be useful for the Board to reach a preliminary conclusion on the case at hand and thus provide administrations with some initial insight into its thinking.

11.9 **Ms Beaumier** pointed out that, under the terms of *resolves* 12, a favourable decision by the Board was final and effective. If the Board was unable to conclude favourably, it would report accordingly to WRC-23. Either way, administrations would have the opportunity to provide comments to the conference on the Board's conclusions.

11.10 **Mr Henri** agreed that a favourable determination by the Board was final. Under *resolves* 12b), the Board would report its conclusions or recommendations to WRC-23. There should be no pending issues at that time unless a Board decision was questioned by an administration at the conference. He was reluctant to conduct a preliminary review of a document that had been submitted without leaving sufficient time for other administrations to comment and was therefore not in line with *resolves* 12. He would prefer to consider the case with all the information available at the Board's next meeting.

11.11 The **Chairman** proposed that the Board should conclude as follows on the matter:

"The Board considered in detail the submission from the Administration of Liechtenstein as contained in Document RRB23-1/14 and thanked the administration for the information provided. While the Board had the authority to decide at its 92nd meeting, it noted that the date of receipt of the submission provided little opportunity for other administrations to submit their comments in time to be considered at its meeting. Since the intent of WRC-19 had been to provide a reasonable opportunity for administrations to comment on those requests, the Board decided to defer its consideration and decision on the request from the Administration of Liechtenstein to its next meeting. The Board instructed the Bureau to add Document RRB23-1/14 to the agenda of its 93rd meeting."

11.12 It was so **agreed**.

12 Report by the Radio Regulations Board to WRC-23 on Resolution 80 (Rev.WRC-07) (Document RRB23-1/5(Rev.1))

12.1 Ms Beaumier, speaking in her capacity as the Chair of the Working Group on the Report on Resolution **80 (Rev. WRC-07)**, said that the working group had completed its review of the draft report that would be circulated to administrations for comment, and she thanked Board members and the Bureau for their contributions and assistance. Certain sections of the report, including on Resolution **40 (Rev. WRC-19)** and RR No. **4.4** would continue to be updated.

12.2 The **Chairman** proposed that the Board should conclude as follows on the matter:

"Convening as the Working Group on the Report on Resolution **80 (Rev.WRC-07)** to WRC-23, under the chairmanship of Ms Beaumier, the Board continued to review Document RRB23-1/5(Rev.1) and finalize a draft of the Report on Resolution **80 (Rev.WRC-07)** to WRC-23. The Board **instructed** the Bureau to circulate the draft report to administrations for comments and to take the necessary actions to make it available as a contribution to the 93rd meeting, at which time the Board would review it in the light of the comments from administrations."

12.3 It was so **agreed**.

13 Confirmation of the next meeting for 2023 and indicative dates for future meetings

13.1 The Board **confirmed** the dates for its 93rd meeting as 26 June–4 July 2023 (CCV Room Genève).

13.2 Following comments from the **Chairman, Mr Talib** and **Mr Cheng** regarding the indicative dates for some future meetings that clashed with religious and national festivals, **Mr Botha** (SGD) said that, while the Bureau would do its best, it might not be able to change the dates because of a

heavy demand for meeting rooms outside ITU and the need for a minimum period of 14 weeks between Board meetings for preparation and approval of the minutes.

13.3 The **Director** said that, with the construction of the new building, there was an unprecedented need for using meeting rooms outside ITU headquarters. While it might be possible to change the proposed dates in 2025 and 2026, it would be very difficult to do so in 2024. Members should nevertheless submit their preferred dates to the Secretary.

13.4 The Board further tentatively confirmed the dates for its subsequent meetings in 2023, as follows:

- 94th meeting: 23–27 October 2023 (Room L);

In 2024, as follows:

- 95th meeting: 4–8 March 2024 (CICG Room 5);
- 96th meeting: 24–28 June 2024 (CCV Room Genève);
- 97th meeting: 4–13 November 2024 (CICG Room 5);

In 2025, as follows:

- 98th meeting: 17–21 March 2025 (CCV Room Genève);
- 99th meeting: 30 June – 4 July 2025 (CCV Room Genève);
- 100th meeting: 3–7 November 2025 (CCV Room Genève);

And in 2026, as follows:

- 101st meeting: 9–13 March 2026 (CCV Room Genève);
- 102nd meeting: 29 June – 3 July 2026 (CCV Room Genève);
- 103rd meeting: 2–6 November 2026 (CCV Room Genève).

14 Other business

14.1 There was no other business.

15 Approval of the summary of decisions (Document RRB23-1/15)

15.1 The Board **approved** the summary of decisions contained in Document RRB23-1/15.

16 Closure of the meeting

16.1 The **Chairman** thanked Board members for their cooperation and teamwork, which had led to the successful conclusion of the meeting. He also thanked the Vice-Chairman and the chairmen of the working groups for their efforts, the Director for his assistance, and the Bureau staff, including Mr Botha and Ms Gozal, for their support.

16.2 **Mr Talib, Ms Hasanova and Ms Beaumier** paid tribute to Mr Azzouz for his able handling of his first meeting as Chairman of the Board. They also thanked the chairmen of the working groups for their hard work, the Director for his invaluable guidance and the Bureau and other ITU staff for their assistance. **Mr Cheng, Mr Linhares de Souza Filho and Mr Fianko** endorsed those comments, praised the convivial atmosphere and thanked returning Board members for sharing their experience.

16.3 The **Director** congratulated the Chairman on the successful conclusion of the meeting and thanked returning Board members for sharing their guidance with new members in a friendly and humble manner. The Bureau had always been highly committed to supporting the Board, particularly

when members took the time to read the preparatory documents and listen to its views, as they had done.

16.4 The **Chairman** thanked the speakers for their kind words and wished all members a safe journey home. He closed the meeting at 1530 hours.

The Executive Secretary:
M. MANIEWICZ

The Chairman:
E. AZZOUZ