Radio Regulations Board
Geneva, 23 – 27 October 2023

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MINUTES**

OF THE

94TH MEETING OF THE RADIO REGULATIONS BOARD

23–27 October 2023

Present: Members, RRB

Mr E. AZZOUZ, Chair
Mr Y. HENRI, Vice-Chair
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 S. MUTTI, Ms C. RAMAGE

Also present: Ms J. WILSON, Deputy Director, BR, and Chief, IAP
Mr A. VALLET, Chief, SSD
Mr C.C. LOO, Head, SSD/SPR
Mr M. CICCOROSSI, acting Head, SSD/SSC
Mr J. WANG, Head, SSD/SNP
Mr A. KLYUCHAREV, 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 94th meeting of the Board. The official decisions of the 94th meeting of the Radio Regulations Board can be found in document RRB23-3/14.

	Subject	Reference
1	Opening of the meeting	-
2	Adoption of the agenda	RRB23-3/OJ/1(Rev.1)
3	Report by the Director, BR	RRB23-3/11 RRB23-3/11(Add.1) RRB23-3/11(Add.3) RRB23-3/11(Add.4) RRB23-3/DELAYED/1
4	Rules of Procedure	-
4.1	List of Rules of Procedure	RRB23-3/1 RRB20-2/1(Rev.10)
4.2	Draft rules of procedure	CCRR/70
4.3	Comments from Administrations	RRB23-3/3
5	Requests to extend the regulatory time-limit to bring/bring back into use the frequency assignments to satellite networks	
5.1	Submission by the Administration of the Solomon Islands requesting an extension of the regulatory time-limit to bring into use the frequency assignments to the SI-SAT-BILIKIKI satellite system	RRB23-3/2
5.2	Submission from the Administration of Germany requesting an extension of the regulatory time-limit to bring into use the frequency assignments to the H2M-05E satellite network	RRB23-3/4
5.3	Submission from the Administration of the Republic of Korea providing additional information supporting its request for an extension of the regulatory time-limit to bring into use the frequency assignments to the KOMPSAT-6 satellite system	RRB23-3/5
5.4	Submission by the Administration of Cyprus requesting a further extension of the regulatory time-limits to bring into use the frequency assignments to the CYP-30B-59.7E-3 satellite network and the bringing back into use of the frequency assignments to the CYP-30B-59.7E and CYP-30B-59.7E-2 satellite networks	RRB23-3/6
5.5	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	RRB23-3/9
5.6	Submission by the Administration of Italy requesting an extension of the regulatory time-limits to bring into use the frequency assignments to the SICRAL 2A and SICRAL 3A satellite networks at 16.2E	RRB23-3/13
5.7	Submission by the Administration of China (People's Republic of) requesting an extension of the regulatory time-limit to bring into use the frequency assignments to the ITS-AR-77.2W satellite network	RRB23-3/7

	Subject	Reference
6	Submission by the Administration of the Islamic Republic of Iran regarding the provision of Starlink satellite services in its territory	RRB23-3/8 RRB23-3/DELAYED/2 RRB23-3/DELAYED/3
7	Submission by the Administration of the United Kingdom of Great Britain and Northern Ireland requesting an appeal to the decision of the Radiocommunication Bureau to give an unfavourable finding to some frequency assignments to the O3B-C satellite system in the MIFR	RRB23-3/10
8	Submission co-signed by the Administrations of Bosnia and Herzegovina, Croatia (Republic of), North Macedonia (Republic of), Moldova (Republic of), Georgia, Rwanda, Serbia Republic of) and South Sudan (Republic of) on the progress made in relation to their seven proposed new allotments	RRB23-3/12 RRB23-3/11 (Add.2)
9	Preparation and arrangements for RA-23 and WRC-23	-
10	Election of the Vice-Chair for 2024	-
11	Confirmation of the next meeting for 2024 and indicative dates for future meetings	-
12	Other business	-
13	Approval of the summary of decisions	RRB23-3/14
14	Closure of the meeting	-

1 Opening of the meeting

1.1 The **Chair** opened the 94th meeting of the Radio Regulations Board at 1400 hours on Monday, 23 October 2023. He welcomed the members of the Board, thanked them for their participation and called for their cooperation to ensure the meeting's successful outcome. He reminded them that the Board's deliberations were confidential.

1.2 The **Director of the Radiocommunication Bureau**, also speaking on behalf of the Secretary-General, welcomed the Board members to Geneva and wished them a fruitful meeting. They would not reconvene before the World Radiocommunication Conference (Dubai, 2023) (WRC-23) and the meeting was therefore of particular importance.

2 Adoption of the agenda (Document RRB23-3/OJ/1(Rev.1))

2.1 **Mr Botha (SGD)** drew attention to three late submissions. In Document RRB23-3/DELAYED/1, the Administration of Papua New Guinea withdrew its request for an extension of the regulatory time-limit to bring into use the frequency assignments to the MICRONSAT satellite system; the Board might wish to consider that document for information under agenda item 3. Documents RRB23-3/DELAYED/2 and RRB23-3/DELAYED/3 had both been received within the deadline stipulated in the Rule of Procedure on the Board's internal arrangements and related to the submission by the Administration of the Islamic Republic of Iran on the provision of Starlink satellite services in its territory; the Board might wish to consider them for information under item 6 of the agenda.

2.2 He also drew attention to three addenda to Document RRB23-3/11 issued since the publication of the preliminary draft agenda. Addenda 3 and 4 related to the cases of harmful interference to broadcasting stations in the VHF/UHF bands between Italy and its neighbouring countries and would be taken up when that point was discussed. Addendum 2 concerned the submission by several administrations under agenda item 8 and would be considered when that item came up.

2.3 The draft agenda was **adopted** as amended in Document RRB23-3/OJ/1(Rev.1). The Board **decided** to consider Document RRB23-3/DELAYED/1 under agenda item 3 and Documents RRB23-3/DELAYED/2 and RRB23-3/DELAYED/3 under agenda item 6 for information.

3 Report by the Director, BR (Documents RRB23-3/11, Addenda 1, 3 and 4, and RRB23-3/DELAYED/1)

3.1 The **Director** introduced his customary report in Document RRB23-3/11 and related addenda.

3.2 Referring to § 1 and Annex 1, he highlighted developments in the cases of Starlink transmissions from the territory of the Islamic Republic of Iran and of harmful interference to France's F-SAT-N3-8W satellite network. In the latter case, the Bureau had communicated the conclusions of the 93rd Board meeting to the Administrations of France and Ethiopia on 12 July 2023. The Administration of Ethiopia had not yet acknowledged receipt of that communication, but nor had the Bureau received any further reports of interference from the Administration of France; the Bureau therefore took it that the problem had been solved.

3.3 Referring to § 8, he asked the Board to determine whether the Bureau needed to keep providing statistics on Resolution **40 (Rev.WRC-19)** in the Director's report, given that the Board had submitted its report under Resolution **80 (Rev.WRC-07)** to WRC-23.

3.4 Referring to § 9, on the implementation of Resolution **559 (WRC-19)**, he was very pleased to announce that the requests of all 41 administrations in a position to have their frequency

assignments included in the Appendices **30** and **30A** Plans had been received and published on the WRC-23 website in the Union's six official languages. Since the 93rd Board meeting, the Bureau had received no Part B submissions that could potentially degrade the equivalent protection margin (EPM) of the Resolution **559** submissions.

3.5 Referring to Addendum 2 to Document RRB23-3/11, which would be taken up under agenda item 8, the Director added that seven administrations requesting new national allotments in Appendix 30B had submitted four requests to the Bureau. The Radio Regulations contained no clear provisions on two of those requests, and the Bureau therefore sought the Board's guidance on how to respond.

The **Chair** thanked the Director for his customary report in Document RRB23-3/11 and congratulated him for the excellent work and results. The **Chair** asked the Board for any comments.

3.6 **Mr Talib** congratulated the Bureau on those very good results, thanks to which developing countries would have access to the Plans.

Actions arising from the last RRB meeting (§ 1 of Document RRB23-3/11 and Annex 1)

3.7 With reference to terrestrial services, **Mr Vassiliev (Chief, TSD)** said that the Bureau had taken all the actions listed in Annex 1.

3.8 Following a comment from **Mr Vallet (Chief, SSD)** on § 4 g) in Annex 1, on the case of harmful interference involving the Administrations of Ethiopia and France, the **Chair** proposed that § 4 g) be deleted in the Director's report to the 95th Board meeting.

3.9 It was so **decided**.

3.10 In reply to a comment from **Ms Mannepalli** on § 4.1 in Annex 1, **Mr Botha (SDG)** said, and **Ms Beaumier** confirmed, that it was the practice of the Bureau to send the Board's decisions to all administrations that commented on the draft rules of procedure. Since the Administration of the Russian Federation had submitted comments, the Bureau had informed it of the outcome of the meeting.

3.11 **Mr Vallet (Chief, SSD)** drew attention to § 6.5 of Annex 1 and to Document RRB23-3/DELAYED/1, which contained the reply of the Administration of Papua New Guinea to the Bureau's communication on its request to the 93rd Board meeting for an extension of the regulatory time-limit to bring into use the frequency assignments to the MICRONSAT satellite network. According to the administration, the satellite intended to bring the frequency assignments into use had been successfully tested and operated at an altitude of 500 km, prompting the operator to maintain the satellite in orbit at that altitude and not to raise it to the notified altitude of 700 km. The administration could therefore no longer invoke *force majeure* and had consequently decided to withdraw its request. It thanked the Board members for their consideration of its initial submission. The satellite was currently operating under a second filing of the Administration of Papua New Guinea that contained orbits at both 500 and 700 km.

3.12 The **Chair** proposed that the Board should conclude as follows on § 1 of Document RRB23-3/11 and Annex 1:

"The Board noted § 1 of Document RRB23-3/11 and Annex 1, on actions arising from the decisions of the 93rd Board meeting. In considering Document RRB23-3/DELAYED/1 under § 6.5 of Annex 1 for information, the Board noted that the Administration of Papua New Guinea had withdrawn its request for an extension of the regulatory time-limit to bring into use the frequency assignments to the MICRONSAT satellite system (Document RRB22-3/10). The Board thanked the administration for sharing the information. It wished the administration and its operator well in their future endeavours."

3.13 It was so **agreed**.

Processing of filings for terrestrial and space systems (§ 2 and Annexes 2 and 3 of Document RRB23-3/11)

3.14 **Mr Vassiliev (Chief, TSD)**, referring to Annex 2 to Document RRB23-3/11, on the processing of notices to terrestrial services, drew attention to the tables contained therein. There had been no revision of findings for assignments to terrestrial service stations during the reporting period.

3.15 **Mr Vallet (Chief, SSD)** drew attention to the tables on the processing of notices for satellite networks set out in Annex 3 to Document RRB23-3/11.

3.16 The Board **noted** § 2 of Document RRB23-3/11 and Annexes 2 and 3, on the processing of filings for terrestrial and space systems, and **encouraged** the Bureau to continue to make all efforts to process the filings within the regulatory time-limits.

Implementation of cost recovery for satellite network filings (§ 3 of Document RRB23-3/11 and Annex 4)

3.17 **Mr Vallet (Chief, SSD**), referring to § 3.2 of Document RRB23-3/11, said that the Council Expert Group on Decision 482 would hold its first meeting on 22–23 January 2024; a second meeting was planned for April. The expert group would report to the June 2024 Council session.

3.18 The Board **noted** § 3.1 and Annex 4, and § 3.2 of Document RRB23-3/11, on late payments and Council activities, respectively, relating to the implementation of cost recovery for satellite network filings.

Reports of harmful interference and/or infringements of the Radio Regulations (RR Article 15) (§ 4 of Document RRB23-3/11)

3.19 The Board **noted** § 4.1 of Document RRB23-3/11, containing statistics on harmful interference and infringements of the Radio Regulations.

Harmful interference to broadcasting stations in the VHF/UHF bands between Italy and its neighbouring countries (§ 4.2 and Addenda 1, 3 and 4 to Document RRB23-3/11)

3.20 **Mr Vassiliev (Chief, TSD)** said that since the Director's report had been prepared, the Bureau had received communications from the Administrations of Italy, Slovenia, Croatia, France, Malta and Switzerland, set out in Addenda 1, 3 and 4, respectively. According to the update provided by the Administration of Italy (Addendum 1), there were no longer any interference problems with respect to TV broadcasting in the UHF band and no new interference reports had been received since June 2023. Regarding DAB broadcasting in VHF band III, coordination with the Administrations of Albania, Montenegro and North Macedonia continued with a view to finalizing the Adriatic-Ionian DAB agreement, and difficulties persisted with Slovenia due to a different understanding of the rights and obligations under the GE06 Plan. Italy was continuing to use DAB blocks 7C and 7D pending signature of the Adriatic-Ionian agreement and was working with the Administration of Malta to resolve interference cases reported on block 12C. The FM broadcasting situation remained complex since Italian broadcasters were operating on the basis of licences granted around 1990. The national Working Group on the FM frequency band continued its activities and one of the evaluation criteria in the current tender for local operators was a commitment to switch off FM stations after the migration to DAB. The update concluded with a summary of the situation between Italy and France, of cross-border cases with Switzerland, Slovenia, Croatia and Malta, and of a bilateral agreement with Switzerland.

3.21 Addendum 3 contained an update in which the Administration of Slovenia reported that there had been no improvement in the FM broadcasting situation. It also reported that the Italian

Administration was objecting to Slovenian stations agreed many years previously and had outlined one such case.

3.22 Addendum 4 contained a summary of updates received from the Administrations of Croatia, France, Malta and Switzerland. Croatia had reported that the FM interference situation had not improved and that Italian T-DAB stations continued to operate on blocks not in line with the GE06 Plan. France had reported that it continued to coordinate with Italy to resolve the one remaining FM interference issue. Malta had reported that, although the FM interference situation had not improved, the Italian Administration had taken action to resolve the T-DAB interference case on block 12C. Lastly, Switzerland had reported that it would be reverifying certain interference cases and then coordinating with Italy.

3.23 The **Chair** thanked the Bureau for its efforts to resolve the long-standing interference issue.

3.24 **Ms Hasanova** noted with regret that there had not been any improvements since the Board's previous meeting. She asked whether the Bureau had any update on the Italy-Slovenia bilateral meeting scheduled for October and what action could be taken by the Bureau should an administration renege on earlier agreements and object to agreed stations.

3.25 **Mr Vassiliev (Chief, TSD)** said that the Bureau had no information on the bilateral meeting between Italy and Slovenia, for which the European Commission would act as facilitator.

3.26 **Mr Fianko** said that it was regrettable that the FM interference persisted. Noting that one of the evaluation criteria in the current tender for local operators was a commitment to switch off their FM stations, he wondered whether such an approach could possibly provide a solution and asked how many DAB licences were being considered under the current tender for local operators.

3.27 **Ms Ghazi (Head, TSD/BCD)** said that a commitment to switch off FM stations was simply one of the evaluation criteria in the current tender for new operators, but she acknowledged that such action would indeed resolve some cases. She noted that the Italian Administration currently had no means of changing the 1990s legislation on the basis of which licences had been granted. Another way of trying to reduce the number of FM interfering stations was to ensure that, when migrating to DAB, operators used the coordinated frequencies.

3.28 **Mr Fianko** said that the Board should encourage the Administration of Italy to further explore the potential of DAB and the switch-off of analogue as a means of addressing the long-standing FM interference cases. In his view, migration to recorded and well-coordinated DAB stations and the eventual switch-off of FM represented the most practical long-term solution.

3.29 **Ms Beaumier** thanked those administrations that had provided updates and noted with disappointment that no progress appeared to have been made with respect to FM broadcasting. It was, however, positive that there continued to be no new cases of harmful interference to TV broadcasting, and she agreed that the issue did not need to be included in future reports to the Board. She was also pleased that plans were in place to discuss outstanding issues concerning the Adriatic-Ionian DAB agreement. While the update from Italy had provided clearly defined objectives and deliverables for the working group on the FM frequency band, it did not contain all the information requested by the Board at its previous meeting, including milestones and timelines for completion of the work. Furthermore, limited progress had been made towards resolving cases of harmful interference. In its conclusion, the Board should urge the Administration of Italy to fully commit to implementing all the recommendations resulting from the June 2023 multilateral coordination meeting and clearly convey its concerns and expectations on resolving the long-standing issue.

3.30 **Mr Cheng** observed that, notwithstanding the efforts of the Italian Administration and progress made, issues remained with respect to DAB and FM broadcasting. The Board should

reiterate its request to the Italian Administration for a detailed action plan, including milestones and timelines, in accordance with which progress could be monitored.

3.31 **Mr Vassiliev (Chief, TSD)**, responding to a question from **Mr Fianko** as to whether the Board could express sympathy regarding the case highlighted by Slovenia in Addendum 3 to Document RRB23-3/11, said that when Slovenia had tried to coordinate its station in 2003, the interference to Italy might have been at an acceptable level. However, over time, as the number of stations increased, the total interference had risen to a level that meant it was no longer possible for Italy to accept Slovenia's updated station. Furthermore, the station had not been recorded in the plan and had been outside the ITU framework. The Italian Administration had been within its rights to object to the updated station when Slovenia had tried to record it in the GE84 Plan.

3.32 The **Chair** proposed that the Board conclude on the matter as follows:

"The Board considered in detail § 4.2 of, and Addenda 1, 3 and 4 to Document RRB23-3/11, on harmful interference to broadcasting stations in the VHF/UHF bands between Italy and its neighbouring countries. The Board thanked all the administrations that had reported on the status of what was a longstanding issue. The Board noted with satisfaction that no cases of harmful interference to television broadcasting stations in the UHF band had been reported and instructed the Bureau not to include that issue in future reports to the Board.

However, the Board again expressed regret at the acute lack of progress towards resolving cases of harmful interference to digital audio and FM sound broadcasting stations. The Board reiterated that it strongly urged the Administration of Italy to:

- fully commit to implementing all the recommendations resulting from the June 2023 multilateral coordination meeting;
- 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.

The Board furthermore encouraged the Administration of Italy to consider the migration of FM stations to DAB as an opportunity to assist in resolving the long-standing cases of harmful interference to FM broadcasting stations of its neighbouring countries.

The Administration of Italy had provided some clearly defined objectives and deliverables for the Working Group on the FM frequency band, but the Board again requested the administration to provide it with a detailed action plan for implementing the Working Group's activities, with clearly defined milestones and timelines, to make a firm commitment for the plan's implementation and to report to the Board on progress in that regard.

The Board thanked the Bureau for the support provided to the administrations concerned and instructed the Bureau to:

- continue providing assistance to those administrations;
- continue reporting on progress on the matter to future Board meetings."

3.33 It was so **agreed**.

Harmful interference to emissions of high frequency broadcasting stations of the Administration of the United Kingdom published in accordance with RR Article 12 (§ 4.3 of Document RRB23-3/11)

3.34 The Board considered § 4.3 of Document RRB23-3/11, on harmful interference to emissions of high frequency broadcasting stations of the Administration of the United Kingdom published in accordance with RR Article **12**, and **noted** that the Bureau had received no further reports of harmful

interference at the time of the 94th Board meeting or any submissions from the Administrations of the United Kingdom and China.

3.35 The **Chair** proposed that references to the case be removed from the Director's report until such time as there were developments.

3.36 It was so **agreed**.

Implementation of Nos. 9.38.1, 11.44.1, 11.47, 11.48, 11.49, 13.6 and Resolution 49 of the Radio Regulations (§ 5 of Document RRB23-3/11)

3.37 **Mr Vallet (Chief, SSD)**, referring to § 5 of Document RRB23-3/11, said that Tables 5, 6 and 7 contained the usual statistics on suppressions of satellite networks, with one exception, namely in Table 5, on the suppression of satellite networks not subject to a plan. As indicated in footnote 2, suppressions carried out in accordance with *resolves* 2 of Resolution **771 (WRC-19)**, on satellite networks operating in the Q/V bands, had been included in the column relating to No. **11.47**. WRC-19 had decided to implement a coordination process in those frequency bands and had set a three-year deadline for those networks previously notified. Of the 28 networks notified before WRC-19, only two had been brought into use within the three-year deadline stipulated (the Administration of France had been granted an extension for the AST-NG-NC-QV satellite network at the 90th Board meeting, and a Chinese network had been brought into use on 11 September 2022); the remaining 26 would therefore be suppressed. He added that Table 6 contained an error: the total number of suppressions in 2020 was 34, not 28.

3.38 The Board **noted** § 5 of Document RRB23-3/11, 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 to frequency assignments to non-GSO FSS satellite systems under Resolution 85 (WRC-03) (§ 6 of Document RRB23-3/11)

3.39 The Board **noted** § 6 of Document RRB23-3/11, on the review of findings to frequency assignments to non-GSO FSS satellite systems under Resolution **85 (WRC-03)**.

Implementation of Resolution 35 (WRC-19) (§ 7 of Document RRB23-3/11)

3.40 The **Chair** thanked the Director of the Bureau for having submitted the Board's report on the implementation of Resolution **35 (WRC-19)** to WRC-23 (Document WRC23/49).

3.41 **Mr Vallet (Chief, SSD)**, referring to Tables 10 and 11 in § 7 of Document RRB23-3/11, said that, since the 93rd Board meeting, the Administration of Japan had informed the Bureau that it wished to suppress the frequency assignments to the QZSS-1 satellite system in the 12 and 14 GHz bands, which were the system's only assignments subject to Resolution **35 (WRC-19)**; the system therefore no longer appeared in Table 10.

3.42 Regarding the Administration of Liechtenstein, the Board had given a favourable determination under *resolves* 12 of Resolution **35 (WRC-19)** to the 3ECOM-1 satellite system at its 93rd meeting, resulting in the Resolution **35** publication. The information for the 3ECOM-3 satellite system had been received on 18 September 2023 and would result in a similar Resolution **35** publication.

3.43 That said, some satellite systems had not met the initial milestone (e.g. the COMMSTELLATION and MCSAT-2 HEO systems) and the Bureau was in touch with the administrations concerned about how to reduce the systems.

3.44 In reply to a query from **Mr Cheng**, he added that the Bureau continued to conduct investigations under RR No. **13.6** for the MCSAT-2 LEO-1 and -2 satellite systems, which were currently at milestone 0. It had recently received a communication from the Administration of France

indicating that the MCSAT-2 LEO-2 satellite system was to be suppressed. It had received no information on MCSAT-2 LEO-1 and had therefore sent a reminder to the Administration of France concerning the procedure under RR No. **13.6**. If no information had been received in the meantime, the system would be submitted to the Board for cancellation at a future meeting.

3.45 The Board **noted** § 7 of Document RRB23-3/11, on the progress towards implementation of Resolution **35 (WRC-19)**.

Statistics on Resolution 40 (Rev.WRC-19) (§ 8 of Document RRB23-3/11)

3.46 **Mr Vallet (Chief, SSD)**, introducing § 8 of Document RRB23-3/11, said that ten Resolution **40** communications had been received since the previous Board meeting. The Bureau had previously prepared the statistics contained in Tables 12 to 15 to enable the Board to draft its report under Resolution **80 (Rev.WRC-07)**. The Bureau wished to know whether it should continue reporting on the matter now that the Board's report had been completed and forwarded to WRC-23.

3.47 In response to a query from the **Chair**, **Ms Beaumier** pointed out that the Resolution **80** report did not contain specific numbers and that it was therefore not necessary to update it to indicate that ten further communications had been received since the Board's previous meeting; the Board's conclusions remained unchanged. In her view, it was not necessary for the Bureau to continue reporting on the matter unless WRC-23 decided otherwise.

3.48 The Board **noted** with appreciation § 8 of Document RRB23-3/11, containing statistics submitted on Resolution **40 (Rev.WRC-19)**, and **instructed** the Bureau to discontinue reporting on the matter until further notice.

Implementation of Resolution 559 (WRC--19) (§ 9 of Document RRB23-3/11)

3.49 **Mr Wang (Head, SSD/SNP)** said that three Part A networks that might have degraded the EPM of Resolution **559** submissions had been cancelled due to the expiry of the eight-year regulatory time-limit for bringing into use. Responding to a question from **Ms Beaumier**, he said that the only progress made during the reporting period with respect to outstanding coordination cases had been achieved between the Administrations of the United States and Nigeria.

3.50 **Mr Vallet (Chief, SSD)** added that, of the 45 administrations that had begun the Resolution **559 (WRC-19)** process, 41 had completed the necessary steps to submit their requests to WRC-23. The remaining four would have to submit their requests to WRC-27.

3.51 The **Chair** proposed that the Board should conclude as follows on the matter:

"The Board noted the status of the implementation of Resolution **559 (WRC-19)** reported in § 9 of Document RRB23-3/11, and expressed appreciation for the Bureau's continued support to administrations in their coordination activities, observing with satisfaction that 41 administrations had submitted their requests to WRC-23. The Board congratulated the administrations concerned and the Bureau on that excellent result. The Board thanked the Administration of the United States for having agreed to the coordination request of the Administration of Nigeria. The Board encouraged administrations to complete their coordination efforts and instructed the Bureau to continue to assist administrations in those efforts."

3.52 It was so **agreed**.

Request for the extension of the period of operation of the HISPASAT-37A satellite network in Appendix 30A (§ 10 of Document RRB233/11)

3.53 **Mr Wang (Head, SSD/SNP)** said that the Bureau had received a request from the Administration of Spain to extend the period of operation of the frequency assignments to the HISPASAT-37A satellite network some seven months after the deadline indicated in § 4.1.24 of

Appendix **30A** (three years before the expiry of the first 15-year period of operation). As all the characteristics of the frequency assignments remained unchanged, the Bureau had, in view of previous similar decisions and in line with the practice followed for Resolution **4 (Rev.WRC-03)** (period of validity of frequency assignments to space stations using the geostationary-satellite and other satellite orbits), decided to accept the request and inform the Board accordingly. He noted that, had the administration shifted the notified date of bringing into use, it could have met the deadline.

3.54 With regard to § 10 of Document RRB23-3/11, on the request for the extension of the period of operation of the HISPASAT-37A satellite network in Appendix **30A**, the Board **noted** the Bureau's decision.

3.55 Having considered in detail the report of the Director, as contained in Document RRB23-3/11 and in Addenda 1, 3 and 4, the Board **thanked** the Bureau for the extensive and detailed information provided.

4 Rules of Procedure

4.1 List of Rules of Procedure (Document RRB23-3/1 (RRB20-2/1(Rev.10)))

4.1.1 **Mr Henri**, the Chair of the Working Group on the Rules of Procedure, introduced the list of proposed rules of procedure set out in Document RRB23-3/1(RRB20-2/1(Rev.10)), which marked the end of a cycle between two conferences and included four entries that had still not been approved by the Board: RR Nos. **5.218A, 5.564A, 9.21/9.36** and Resolution **1 (Rev.WRC-97)**. He recalled that, in keeping with the past decision of the Board, the two new rules of procedure on RR Nos. **5.218A** and **5.564A**, respectively, would not be finalized until such time as the Bureau had to resolve a case related thereto. He also noted that, in connection with No. **5.218A**, the report of the Director on the activities of the Radiocommunication Sector to the WRC-23 indicated the lack of methodology to derive the pfd value uder No.**5218A**, inviting the Conference to request the relevant ITU-R Study Group to develop such a methodology. The working group would consider the Bureau's proposed draft text on modifications to the Rule of Procedure on RR No. **9.21** and consequential changes to the Rule of Procedure on RR No. **9.36**, and the draft modified Rule of Procedure on Resolution **1 (Rev.WRC-97)** dispatched to administrations in CCRR circular letter 70.

4.1.2 Later in the meeting, he reported that the working group had approved the draft modifications to the Rule of Procedure on RR. No. **9.21** and consequential changes to the Rule of Procedure on RR No. **9.36**. The group proposed that the text be circulated to administrations for comment and subsequent final review at the next meeting of the Board.

4.1.3 The **Chair** proposed that the Board should conclude on the matter as follows:

"Following a meeting of the Working Group on the Rules of Procedure, under the leadership of Mr Y. HENRI, the Board noted the list of proposed rules of procedure in Document RRB23-3/1 and instructed the Bureau to prepare a document for the 95th Board meeting containing a new list of proposed rules of procedure for the period 2024 to 2027 and to transfer the uncompleted items on the proposed draft rules of procedure on RR Nos. **5.218A** and **5.564A**, and Resolution **1 (Rev.WRC-97)** to the new list.

The Working Group on the Rules of Procedure reviewed, and the Board approved, the proposed draft text on modifications to the rules of procedure on RR Nos. **9.21** and **9.36**. The Board instructed the Bureau to prepare the draft modified rules of procedure on RR Nos. **9.21** and **9.36** and to circulate them to administrations for their comments and for consideration by the Board at its 95th meeting."

4.1.4 It was so **agreed**.

4.2 Draft rules of procedure (Document CCRR/70)

4.2.1 Following comments from the **Chair** and **Mr Talib,** the **Director** confirmed that the letter set out in Document CCRR/70 inviting comments on the draft modified Rule of Procedure on Resolution **1 (Rev.WRC-97)** had been sent to all administrations of ITU Member States for comment.

4.3 Comments from administrations (Document RRB23-3/3)

4.3.1 The **Chair** drew attention to Document RRB23-3/3, which set out the comments received from a total of 21 administrations and would be considered by the working group.

4.3.2 **Mr Henri**, the Chair of the Working Group on the Rules of Procedure, said that the group had discussed at length the draft modified Rule of Procedure on Resolution **1 (Rev.WRC-97)** and the comments from administrations as contained in Document RRB23-3/3 during its meetings. Due to the sensitivity of the issue and the numerous comments received, the working group had not been in a position to complete its review, which would be continued at its next meeting. On completion of the review, a modified version of the draft, as agreed by the Board, would be circulated to administrations for comment. In the interests of transparency, the document circulated would include a comprehensive table of comments by administrations with the rationale and reasoning for considering the comment in the draft proposed text or for not doing so.

4.3.3 The working group had made some progress on the principles underlying paragraph 1.2 of the draft modified Rule of Procedure, in particular confirming the reference to the ITU Digitized World Map (IDWM) in the draft rule and the link with the UN geospatial database (UN map). It had also recognized the need for more information for a better understanding by administrations of IDWM and its role in the application of the provisions of the Radio Regulations.

4.3.4 With regard to paragraph 1.3, concerning provisions for processing frequency assignments to stations located on the territory of another administration, the working group had agreed on the principle of a declaration by the notifying administration that would explicitly refer to the existence of an agreement between the two administrations concerned. It had also agreed on the principle of informing the administration on the territory of which the station would be located of the notification once the frequency assignment had been processed and entered into the MIFR.

4.3.5 The working group had held a general discussion on paragraph 1.4, which some administrations wished to delete, and others wished to retain. The group had understood the nature of some concerns expressed regarding the term “territories with sovereignty unsettled” and the ambiguity of the word “unsettled”. It had also recognized that the meaning of the term under question is directly derived of the current Rule of Procedure on Resolution **1** that described such territory by referring to “the sovereignty over the territory in question is a matter of dispute between the two administrations”. The group had also understood that one barrier to understanding the proposed regulatory approach was the lack of information on the list of territories that would qualify as having “sovereignty unsettled” and the lack of a transparent regulatory approach for establishing and maintaining such a list. In that regard, the group had agreed to consider, with the Bureau’s assistance, an approach whereby it would be the responsibility of the Board to agree on such a list.

4.3.6 Many interesting suggestions had been shared and the group had tasked the Bureau to compile a preliminary review of the draft text of the Rule of Procedure for further consideration by the working group at its next meeting.

4.3.7 He commended the Bureau for its assistance on all issues and thanked participants for their cooperation and hard work.

4.3.8 **Mr Cheng** said that the discussions on the Rule of Procedure on Resolution **1 (Rev.WRC-97)** had been very useful. Numerous concerns had been raised about the incorporation of the IDWM into the rules of procedure for the first time and its linkage with the UN map. Member States' opinions on such issues should be fully respected.

4.3.9 The **Chair** thanked Mr Henri for his extensive efforts as Chair of the Working Group on the Rules of Procedure and the Bureau for its assistance. He proposed that the Board should conclude on the matter as follows:

"The Board discussed in detail the draft rules of procedure circulated to administrations in Circular Letter CCRR/70, along with the comments received from administrations as contained in Document RRB23-3/3. Due to the sensitivity of the issue and the numerous comments, the Board was not in a position to complete its review of the draft rules, which would be pursued at its 95th meeting. On completion of the Board's review, a modified version of the draft rules of procedure on Resolution **1 (Rev.WRC-97)** would be circulated to administrations for comments."

4.3.10 It was so **agreed**.

5 Requests to extend the regulatory time-limit to bring/bring back into use the frequency assignments to satellite networks

5.1 Submission by the Administration of the Solomon Islands requesting an extension of the regulatory time-limit to bring into use the frequency assignments to the SI-SAT-BILIKIKI satellite system (Document RRB23-3/2)

5.1.1 **Mr Loo (Head, SSD/SPR)**, introducing Document RRB23-3/2, said that it contained a submission from the Administration of the Solomon Islands, consideration of which had been deferred from the Board's 93rd meeting, requesting a 36-month extension of the regulatory time-limit to bring into use the frequency assignments to the SI-SAT-BILIKIKI satellite system, on the grounds of *force majeure.* The facts in the case were as follows: the regulatory time-limit to bring into use the frequency assignments concerned was 30 June 2023; the start of operation had been planned for the beginning of 2023, providing a margin of six months; the satellite operator had signed a contract with an orbital infrastructure provider in June 2022 and a hosted payload satellite had been launched on 3 January 2023 and successfully deployed in orbit but remained inoperative owing to an electrical power supply failure on the host satellite; despite the efforts of the satellite operator and the orbital infrastructure provider, the technical failure remained irreparable. The request for a 36-month extension reflected the amount of time the administration deemed necessary to build and launch a replacement satellite. In Annex 1 to the document, the satellite operator confirmed that it could not be certain of providing electrical power to the hosted payload before the regulatory time-limit of 30 June 2023. The Bureau had received no updated information since the original submission and therefore concluded that any attempts to resolve the problem had been unsuccessful.

5.1.2 In reply to a question from **Ms Hasanova**, he added that the frequency assignments of the satellite network had been published in a Part III-S publication with unfavourable findings as a result of non-completion of coordination. It had therefore been returned to the administration, and the administration could resubmit it under RR No. **11.41** for recording in the Master Register.

5.1.3 In reply to a question from **Mr Talib**, he said that the requested extension would be calculated as 36 months from the regulatory time-limit of 30 June 2023, no matter the date of the Board's decision.

5.1.4 **Ms Hasanova**, observing that the Board had agreed at its previous meeting to maintain the assignments until the end of its 94th meeting pending consideration of the document, noted that the submission requested a 36-month extension to design, construct and launch a new satellite but

provided no information on the relevant contract or new launch date. She was therefore reluctant to accede to the request at the present meeting. The administration should be asked to provide further information to the 95th Board meeting on, for example, the satellite manufacturer and the launch schedule, and the assignments should be maintained until the end of that meeting.

5.1.5 **Ms Mannepalli** expressed sympathy for the Administration of the Solomon Islands but considered that it could have provided a detailed explanation of how its request met the second condition for *force majeure,* which stipulated that the *force majeure* event had to be unforeseen. Indeed, it went without saying that the host satellite and hosted payload had presented no pre-launch anomalies, or the launch would not have taken place, but the submission would have benefited from evidence to that effect. She would find it difficult to agree to a three-year extension without more complete information, especially since the original contract between the satellite operator and the orbit infrastructure provider had stipulated only seven months (June 2022 to January 2023) for the launch of the hosted payload.

5.1.6 **Mr Talib** agreed that the Board needed further information, in particular on how the request met the four conditions for *force majeure.*

5.1.7 **Mr Linhares de Souza Filho** said that his initial reaction was to grant the extension on the grounds of *force majeure*, taking into account that the Solomon Islands was a least developed country. It was hard to understand, however, why three years were now needed for something upon which the operator and orbit infrastructure provider had agreed to a seven-month contract in 2022. The Board needed more information to reach a conclusion.

5.1.8 **Mr Cheng** agreed with previous speakers that the Board had not received enough information to determine that the case met the conditions for *force majeure*. No information had been provided on the new satellite manufacturer or launch schedule. Moreover, while the filing dated back to 2017, it was not until June 2022 that the operator had agreed on a contract with an orbit infrastructure provider and then it had taken only seven months to the actual launch. He was therefore not currently in a position to accede to the request.

5.1.9 **Mr Fianko** said that, although the Administration of the Solomon Islands had described the situation as "unforeseen", it had not provided sufficient evidence that everything had been done to ensure the right outcome or submitted supporting information showing that the requested extension was realistic. The administration had to provide evidence to the effect that it had carried out enough tests to ensure that the payload would operate properly when the satellite was launched. It also had to provide evidence to justify the timeline requested, for example in the form of a contract with a satellite manufacturer.

5.1.10 **Mr Henri**, observing that the hosted payload was a three-unit CubeSat (i.e. a 30-cm box), said that he required further assurance that it would have the capability to operate all the frequency assignments to the SI-SAT-BILIKIKI satellite system, which comprised 300 satellites and a wide range of frequencies, and some explanation of why its replacement warranted a three-year extension. Further information was also required from the satellite manufacturer on the electrical power link between the hosted payload and the main satellite, which had ultimately failed, and on the pre-launch integration and testing thereof. He expressed surprise at the length of the extension requested; were three years required to replace the hosted payload or to build a satellite dedicated to the constellation? Detailed information should be provided on how the work was to be carried out, along with general information on the status of coordination. In the absence of all such information, he was not in a position to determine that the situation met all the conditions for *force majeure* and therefore to accede to the request.

5.1.11 **Ms Beaumier** echoed the comments of previous speakers. The satellite had been built in a short period of time: had the expedited project timeline contributed to its technical failure? The

Administration of the Solomon Islands said that no anomalies had been detected during payload integration and testing, but it had provided no evidence of what tests had been conducted. The original six-month project schedule stood in stark contrast to the minimum schedule of 36 months the administration now said it required, with no evidence being provided to explain the difference (it would appear that the plan was to move from a small CubeSat payload to a full-fledged satellite). Efforts were apparently still being made to resolve the electrical power issue when the submission was prepared but the Board had not received any update information to understand the results of those efforts and the status of the hosted payload. For all those reasons and others mentioned by previous speakers, it was not clear that all four conditions for *force majeure* had been met, in particular, that the technical power failure had been beyond the administration's control and impossible to foresee or that it had been impossible to remedy the problem. She was therefore not in a position to grant an extension at the present time and agreed that the Board should instead ask for additional information, in particular on efforts to replace the payload and any contract to that effect.

5.1.12 **Mr Alkahtani** agreed with previous speakers that the Board did not have sufficient information to determine that the situation was one of *force majeure*.

5.1.13 **Mr Nurshabekov** also agreed that the Administration of the Solomon Islands had not fully explained why the case was one of *force majeure*. It was unclear whether the administration wished to build a new satellite and how it planned to fund that endeavour; the funding issue might affect the amount of time needed to build and launch the satellite. The information currently before the Board was insufficient for it to take a decision on the request for an extension; further information should therefore be requested for the 95th Board meeting.

5.1.14 In reply to a comment from **Mr Di Crescenzo** on the length of the extension requested, **Mr Henri** pointed out that, one year before the end of the regulatory period, in June 2022, the Administration of the Solomon Islands had decided to bring the assignments into use with a CubeSat, which had failed. It had since provided no information, in his view, that was commensurate with the reality of the project. It would not take three years to launch a CubeSat to bring into use the frequency assignments; six to twelve months should suffice. In the absence of information on the project itself, he was not in a position to agree to keep the filing alive until the end of the next Board meeting.

5.1.15 In reply to a comment by the **Chair**, **Mr Henri** pointed out that the administration had already obtained an extension of several months (consideration of the original submission having been deferred from the previous meeting) but had made no effort to provide supporting information in the meantime. The Board had cancelled filings in the recent past and the administrations concerned had then come back to it with the information needed to restore them.

5.1.16 **Ms Beaumier** said that, while the administration had not provided a great deal of information, the possibility remained that the case might qualify as a situation of *force majeure*. Out of fairness, the Board should ask for additional details; the administration involved might not have much experience in submitting requests for extensions. She was inclined to give it the benefit of the doubt and to ask for more information.

5.1.17 **Ms Hasanova** and **Ms Beaumier** both considered that it was not the role of the Board to encourage the administration to sign a contract with a satellite manufacturer; the Board should limit its conclusion to asking for evidence that such a contract existed.

5.1.18 **Ms Hasanova** added that, in her view, the filing should be maintained until the end of the 95th Board meeting. If the filing was cancelled, the administration might submit its request for an extension to WRC.

5.1.19 **Mr Fianko** agreed that, given that Solomon Islands was a least developed country, the administration might not have as much experience as other administrations in the business of the

Board, which should therefore provide specific guidance in its conclusion on the kind of information it required.

5.1.20 **Mr Linhares de Souza Filho** said that pursuant to No. 196 under Article 44 of the ITU Constitution, it was incumbent on the Board to provide guidance for the Administration of the Solomon Islands as a least developed country. The Board should instruct the Bureau to maintain the filing until its next meeting and should provide detailed guidance in its conclusion on the type of information it requires from the administration.

5.1.21 **Ms Beaumier** considered that it would be inappropriate to use the term "least developed country" in the Board's conclusion unless the administration itself invoked that wording.

5.1.22 **Mr Di Crescenzo** agreed that the filing should be maintained until the end of the 95th Board meeting and that the Administration of the Solomon Islands should be asked to provide more information.

5.1.23 The **Chair** proposed that the Board conclude as follows on the matter:

"Having considered in detail the request of the Administration of the Solomon Islands and the information contained in Document RRB23-3/2, the Board noted that:

- no additional information had been provided on the status of the situation since the 93rd Board meeting;
- the regulatory time-limit to bring into use the frequency assignments to the SI-SAT-BILIKIKI satellite system was 30 June 2023;
- the start of operation had been planned for the beginning of 2023, providing a margin of six months;
- the satellite operator had signed a contract with an orbital infrastructure provider in June 2022 and a hosted payload satellite had been launched on 3 January 2023 and successfully deployed in orbit, but the hosted payload remained inoperative owing to an electrical power supply failure on the host satellite;
- despite the efforts of the satellite operator and the orbital infrastructure provider, the technical failure remained irreparable at the time of receipt of the submission;
- the administration had requested a 36-month extension of the regulatory time-limit in order to provide a replacement satellite but had provided no details on the satellite project.

The Board considered that the information provided did not clearly demonstrate that all the conditions had been met for the situation to fully qualify as a case of *force majeure* and that the requested 36-month extension period had not been fully justified. Consequently, the Board concluded that it was not in a position to accede to the request from the Administration of the Solomon Islands.

The Board instructed the Bureau to invite the Administration of the Solomon Islands to submit additional information, including but not limited to the following:

- a contract with the satellite manufacturer of the hosted payload and evidence of its launch;
- the status of the hosted payload and details of the efforts to resolve the technical failure;
- that constituted substantive evidence that all the conditions had been met for the situation to qualify as a case of *force majeure*;
- confirmation that the original satellite had had the capability to bring into use the frequency assignments to the SI-SAT-BILIKIKI satellite system;
- that would explain the electrical link between the host and hosted payloads;
- on the results of the payload integration/tests and the flight acceptance tests, with a view to demonstrating that the technical failure had not been present during testing;

- on the rationale for the requested extension of 36 months to replace a hosted payload that was originally built in seven months;
- on plans to build and launch a replacement satellite or on efforts to find and implement interim solutions.

The Board further instructed the Bureau to continue to take into account the frequency assignments to the SI-SAT-BILIKIKI satellite system until the end of the 95th Board meeting."

5.1.24 It was so **agreed**.

5.2 Submission from the Administration of Germany requesting an extension of the regulatory time-limit to bring into use the frequency assignments to the H2M-05E satellite network (Document RRB23-3/4)

5.2.1 **Mr Loo (Head SSD/SPR)** introduced Document RRB23-3/4, in which the Administration of Germany requested a further extension of the regulatory time-limit to bring into use certain frequency assignments to the H2M-0.5E satellite network, from 15 to 21 July 2023, on the grounds of two *force majeure* events: launch delays and bad weather conditions.

5.2.2 He noted that the Board had already granted an extension to the regulatory time-limit to bring into use the frequency assignments to the H2M-0.5E satellite network, from 2 May to 15 July 2023, at its 91st meeting. Certain frequency assignments in the Ku and Ka bands had been brought into use in accordance with RR No. **11.47** using the HOTBIRD-13F satellite, but others, intended to be brought into use by the H2M-0.5E satellite, had not. The launch of the H2M-0.5E satellite, scheduled for 15 June 2023, had been cancelled following a technical problem on the Ariane-5 launcher. The launch had been rescheduled for 4 July 2023 but had been further delayed by one day, to 5 July 2023, due to bad weather. It had arrived at its orbital position on 21 July 2023 and had immediately commenced bringing into use. The German Administration had provided supporting evidence in the four attachments to its submission and explained how, in its view, the case met all four conditions for *force majeure*.

5.2.3 The **Chair** observed that the original launch date of 15 June 2023 would have provided a sufficient margin for bringing into use in the absence of the delays incurred. The satellite, launched on 5 July 2023, was operational in orbit and the six-day extension requested was very short.

5.2.4 **Mr Loo (Head SSD/SPR)**, responding to a question from **Ms Hasanova**, said that the Bureau had not yet suppressed the frequency assignments.

5.2.5 **Ms Beaumier** recalled that, when the Administration of Germany had submitted its extension request to the Board's 91st meeting, the Board had refrained from granting additional time for contingencies to cover possible delays that were hypothetical in nature. Given the nature of the delays encountered, the situation clearly qualified as a case of *force majeure*. The extension requested until 21 July 2023 was time-limited and fully justified, and she would support it.

5.2.6 **Ms Mannepalli** said that the regulatory deadline of 15 July 2023 would have been met had the two *force majeure* events not occurred. She was in favour of granting the very short extension requested, noting that sufficient evidence had been provided to show that all four conditions for *force majeure* had been met.

5.2.7 **Mr Talib** agreed that the *force majeure* conditions had been met. He was in favour of granting the short, six-day extension requested and noted that the satellite had been launched and was already in orbit.

5.2.8 **Mr Linhares de Souza Filho** said that the regulatory deadline would have been met in the absence of the *force majeure* events. He was in favour of granting the additional short extension requested; the satellite was operational in orbit.

5.2.9 **Mr Henri** observed that the requested extension was limited and qualified and would not have been necessary had the launch taken place on 15 June as planned. The launch delay was outside the control of the German operator, and the situation qualified as a case of *force majeure*. He would therefore support a further extension until 21 July 2023.

5.2.10 **Ms Hasanova** considered that all the necessary notifications and Resolution **49 (Rev.WRC-19)** information had been provided before 15 July 2023. The planned launch on 15 June 2023 had been cancelled due to a technical problem on the Ariane-5 launcher and the satellite was operational in orbit. The situation qualified as a case of *force majeure* and she supported the requested extension.

5.2.11 **Mr Fianko** said that sufficient information had been provided to justify *force majeure*. Furthermore, the satellite was operational in orbit. The additional six-day extension was reasonable and should be granted.

5.2.12 **Mr Cheng** thanked the Administration of Germany for its clear and comprehensive submission and supporting evidence, and for having taken all possible mitigation measures. The case qualified as *force majeure* and he was in favour of granting the requested extension.

5.2.13 **Mr Nurshabekov** said that the Administration of Germany had provided all the information necessary. The situation qualified as a case of *force majeure* and he would support an extension until 21 July 2023.

5.2.14 **Mr Di Crescenzo** agreed that the conditions for *force majeure* had been met and was in favour of granting the short extension requested.

5.2.15 The **Chair** proposed that the Board conclude on the matter as follows:

"The Board considered in detail Document RRB23-3/4, containing a request from the Administration of Germany to extend the regulatory time-limit to bring into use the frequency assignments to the H2M-0.5E satellite network and thanked the administration for the information provided. The Board noted that:

- a satellite had been launched on 5 July 2023 and was currently operational in orbit;
- the Board had granted an extension at its 91st meeting from 2 May 2023 to 15 July 2023;
- the launch had been delayed owing to launcher technical issues and bad weather;
- the requested extension of the regulatory time-limit was limited (six days) and fully justified.

From the information provided, the Board concluded that all the conditions had been met for the situation to qualify as a case of *force majeure*.

Consequently, the Board decided to accede to the request from the Administration of Germany to extend the regulatory time-limit to bring into use the frequency assignments in the bands 2 102.5-2 107.5 MHz, 2 283.5-2 288.5 MHz, 23.27-23.308 GHz and 26.364-26.400 GHz to the H2M-0.5E satellite network to 21 July 2023."

5.2.16 It was so **agreed**.

5.3 Submission from the Administration of the Republic of Korea providing additional information supporting its request for an extension of the regulatory time-limit to bring into use the frequency assignments to the KOMPSAT-6 satellite system (Document RRB23-3/5)

5.3.1 **Mr Loo (Head SSD/SPR)** introduced Document RRB23-3/5, in which the Administration of the Republic of Korea had, in response to the Board's request at its 93rd meeting, provided additional information to support its request for an extension of the regulatory time-limit to bring into

use the frequency assignments to the KOMPSAT-6 satellite system, from 12 December 2023 to 30 September 2025, on the grounds of *force majeure*.

5.3.2 Outlining the facts of the case, he said that the KOMPSAT-6 satellite had been due to launch from the territory of the Russian Federation in the period from 30 September 2022 to 31 March 2023 (Annex 1). The United States Department of Commerce had, however, suspended the re-export licence approved in August 2021 (Annex 2) in March 2022 (Annex 3) owing to the international crisis between the Russian Federation and Ukraine. An appeal by the Korea Aerospace Research Institute (KARI) in April 2022 (Annex 4) had been unsuccessful. KARI had sent a request for information and request for proposal to various launch service providers between May and October 2022. Official government approval for a new launch contract had been granted in December 2022 and Arianespace had been selected as the new launch provider. However, the contract to launch KOMPSAT-6 by the Vega-C launcher with a launch window of 1 December 2024 to 31 March 2025 (Annex 7), plus a maximum six-month margin, had not been signed until April 2023 owing to the launch failure of the Vega-C launch vehicle in December 2022. Furthermore, as a result of an unexpected anomaly in the static fire test of the Vega-C launcher in June 2023 and the delay in the expected return to flight, Arianespace had advised KARI to seek an extension until 30 September 2025 (end of launch window plus six-month margin) (Annex 8). Annexes 5 and 6 contained pictures showing progress on the satellite's completion and information on the results of the first routine six-monthly state-of-health tests.

5.3.3 The administration considered that the launch delay qualified as *force majeure* and explained how all four conditions had been met.

5.3.4 **Mr Henri** said that, although the administration had not provided other supporting evidence for the period required after the launch for orbit raising, it had provided most of the additional information sought by the Board at its 93rd meeting. Annex 6 contained supporting evidence from the manufacturer that the satellite had been ready in August 2022 (letter from KARI indicating that the KOMPSAT-6 satellite had been in storage mode since 18 August 2022 with information on the first state-of-health test in January 2023). Annex 7 contained updated information on the new launch window and some evidence from the new launch service provider confirming the launch window and the date of the contract signature. From the information provided, he considered that, in the absence of the international crisis, the administration would have met the regulatory time-limit to bring into use the frequency assignments and that the case qualified as *force majeure*. However, the length of the extension was difficult to judge since it would depend on efforts from Arianespace and the return to flight of the Vega-C launcher. He would have been interested to learn if the Administration of the Republic of Korea had considered changing the launcher since the loss of the Vega-C during the December 2022 launch.

5.3.5 **Ms Beaumier** said that the clarifications provided by the Administration of the Republic of Korea provided a much clearer and more complete picture of events. The case met the conditions to qualify as *force majeure*. The satellite had been in storage mode since August 2022 ahead of its launch window but had been unable to launch as planned because the export licence had been suspended. The administration had taken steps to find an alternative launch service provider in May 2022, but because of the time required to secure the necessary government approvals for a new launch service contract and the failure of the Vega-C launch vehicle in December 2022, a launch window from 1 December 2024 to 31 March 2025 was anticipated. She had difficulty with the length of the requested extension (until 30 September 2025), which included the six-month margin recommended by the launch service provider due to uncertainties with the launch manifest and the risk of postponement of the launch window. She noted that, in its calculations, the administration had not taken into account any additional time for orbit raising. However, the Board considered facts, not potential scenarios or uncertainties, and did not grant extensions for contingencies. It should therefore support an extension

until the end of the current launch window (i.e. 31 March 2025). The administration could always request a further extension should the launch window be postponed by the launch provider.

5.3.6 **Ms Mannepalli**, while welcoming the additional information, noted that supporting evidence for the orbit-raising period had not been provided. From the evidence submitted, the situation qualified as a case of *force majeure*. Although she would have difficulty in granting an extension until 30 September 2025 without concrete data on the launch window, she could accept an extension until 31 March 2025. The issue might be considered further once the results of the independent enquiry commission established after the Vega-C failure in December 2022 were available.

5.3.7 **Mr Talib** praised the efforts of the Administration of the Republic of Korea. The situation qualified as a case of *force majeure*, notably because of the international crisis between the Russian Federation and Ukraine. Given that the actual launch date and the results of the enquiry commission were unknown, an extension until 31 March 2025 was appropriate. An additional extension could be considered at a subsequent Board meeting should further information be provided.

5.3.8 **Ms Hasanova** thanked the administration for the additional information, including on the launch window of 30 September 2022 to 31 March 2023 and the readiness of the satellite in August 2022. She considered that the situation qualified as a case of *force majeure* owing to the international crisis and was in favour of granting an extension until 31 March 2025. The Administration could request a further extension in the future if necessary.

5.3.9 **Mr Fianko** observed that the Administration of the Republic of Korea had been responsive to the Board's request and had provided additional information to show the satellite's readiness and that the regulatory time-limit of 12 December 2023 would have been met but for the international crisis. He was in favour of granting an extension on the grounds of *force majeure* until 31 March 2025. Consistent with previous decisions, he said that, should new information become available, the Board could consider a further extension.

5.3.10 **Mr Nurshabekov** considered that the Administration of the Republic of Korea had provided the information requested by the Board at its previous meeting and the situation qualified as a case of *force majeure*. He noted that the letter in Annex 8 appeared to indicate that Arianespace was seeking an extension until 30 September 2025 to provide for anticipated risks and that the results of the independent enquiry commission were not yet available. He would support an extension until 31 March 2025 and agreed that a further extension could be considered by the Board at a subsequent meeting if necessary.

5.3.11 **Mr Alkahtani** said that the Administration of the Republic of Korea had demonstrated that the satellite had been ready in August 2022 and had provided most of the information requested by the Board at its previous meeting. He agreed that the situation qualified as a case of *force majeure*. Like others, he had difficulties with the duration of the requested extension and would support an extension until 31 March 2025. The administration could request a further extension if required.

5.3.12 **Mr Linhares de Souza Filho** considered that the situation qualified as a case of *force majeure*. Although an extension until 31 March 2025 would probably not be sufficient, given the anomaly in the static fire test of the Vega-C launcher in June 2023, he could go along with it. The administration could always request a further extension if more time was needed.

5.3.13 The **Chair** proposed that the Board conclude on the matter as follows:

"Having considered the request from the Administration of the Republic of Korea, as contained in Document RRB23-3/5, the Board thanked the administration for providing the additional information requested at its 93rd meeting. The Board noted that:

- the administration had provided supporting evidence from the satellite manufacturer that the satellite had been ready and in storage since August 2022 and had undergone regular state-of-health tests;
- due to the Russian Federation/Ukraine crisis, the re-export licence for the satellite had been revoked on 2 March 2022, preventing its launch by a launch service provider within the Russian Federation and resulting in the need to find an alternative launch service provider;
- the administration had initiated attempts to find an alternative launch service provider and to secure the necessary government approvals from May 2022 and had selected a new provider in December 2022, but the contract signature had been delayed until 28 April 2023 by the launch failure of the selected provider's launch vehicle, resulting in a launch window from 1 December 2024 to 31 March 2025;
- the administration had requested that the regulatory time-limit be extended by 22 months, to 30 September 2025, which included a margin of uncertainty related to delays with the expected return to flight of the launch vehicle;
- the impact of such delays on the launch manifest were unknown and the launch window remained unchanged.

From the information provided, the Board concluded that:

- but for the unforeseen Russian Federation/Ukraine crisis, the administration would have met the regulatory time-limit (12 December 2023) to bring into use the frequency assignments to the KOMPSAT-6 satellite system;
- all the conditions had been met for the situation to qualify as a case of *force majeure*.

The Board reminded the administration that it did not grant extensions to regulatory time-limits to bring into use frequency assignments to satellite networks that included additional margins or contingencies.

Consequently, the Board decided to accede to the request from the Administration of the Republic of Korea to extend the regulatory time-limit to bring into use the frequency assignments to the KOMPSAT-6 satellite system to 31 March 2025."

5.3.14 It was so **agreed**.

5.4 Submission by the Administration of Cyprus requesting a further extension of the regulatory time-limits to bring into use the frequency assignments to the CYP-30B-59.7E-3 satellite network and the bringing back into use of the frequency assignments to the CYP-30B-59.7E and CYP-30B-59.7E-2 satellite networks (Document RRB23-3/6)

5.4.1 **Mr Wang (Head, SSD/SNP)** introduced Document RRB23-3/6, in which the Administration of Cyprus requested a further extension of the regulatory time-limits to bring into use the frequency assignments to the CYP-30B-59.7E-3 satellite network and bring back into use the frequency assignments to the CYP-30B-59.7E and CYP-30B-59.7E-2 satellite networks. The request followed on from the administration's submission to the 92nd Board meeting, at which the Board had concluded that the situation described by the administration qualified as *force majeure* and had granted an extension to 31 December 2023. The administration was now requesting a further extension, to 4 July 2024, on the grounds that the same *force majeure* events had obliged the satellite operator to change the launch vehicle and, as a result, modify the payload adaptor. Those modifications had necessitated additional engineering activities and the new launch window of 1 July to 30 September 2023 had consequently been missed. The new launch service provider had subsequently offered a second launch window of 20 December 2023 to 28 January 2024 which, together with the 158 days required for orbit raising, implied a time-limit for bringing the frequency

assignments (back) into use of 4 July 2024. The document and its attachments contained extensive information on the *force majeure* and subsequent events, a photo of the payload adaptor and explanations of the modifications required, a detailed launch schedule, and confirmation of the administration's assertions by the various parties concerned.

5.4.2 In reply to a question from **Mr Cheng** about the launch window, which, according to the document, was to have been refined to a seven-day launch interval by 23 October 2023, he added that the Bureau had received no updated information on the project launch schedule set out in the document.

5.4.3 **Mr Henri** said that it was his understanding that the request for a further extension of six months was essentially the result of the change in launch provider from Arianespace to SpaceX. The notifying administration, the launch providers and the satellite operator had all provided extensive information bearing out the request, which was limited and qualified, and appeared to have done everything in their power to minimize the extension period. The delay appeared to be beyond the operator's control, having been caused by the modifications required to the payload adaptor as a result of the change in the launch provider. He stressed the good cooperation between the launch providers, which had worked in the interests of the operator. He considered that the situation qualified as one of *force majeure* and was therefore able to accede to the request.

5.4.4 Regarding the launch window, which was, according to the document and as pointed out by Mr Cheng, to have been refined to a seven-day launch interval by 23 October 2023, he added that the Board generally considered the start date of the launch window when calculating extensions to avoid questioning the reality of added contingency periods and was reluctant to grant extensions without that information. He was therefore not entirely comfortable about granting a six-month extension in the absence of information on the refined launch interval, even though any uncertainty would pertain to no more than two or three weeks. 5.4.5 **Ms Mannepalli**, citing the exhaustive information contained in the document, agreed that the main reason for the delay was the change in the launch vehicle, which had required modifications to the payload adaptor and was beyond the operator's control. She also considered that the situation qualified as one of *force majeure* and that the Board should agree to the extension.

5.4.6 **Ms Beaumier** concurred. The additional delay was the direct consequence of the circumstances that the Board had previously determined as constituting *force majeure*. The case continued to qualify as one of *force majeure* and the extension period requested was qualified and time limited. She therefore also considered that the extension to 4 July 2024 should be granted.

5.4.7 **Mr Cheng**, referring to the detailed information and extensive supporting material provided in the document, and noting the unprecedented nature of the work undertaken to integrate the payload adaptor following the change in launch vehicle, agreed that the case continued to qualify as one of *force majeure* and that the time-limits for bringing the frequency assignments (back) into use should therefore be extended to 4 July 2024.

5.4.8 **Mr Talib** said that, in view of the Board's determination at its 92nd meeting, and taking into account the modifications to the payload adaptor required by the change in launch provider, the arguments in favour of a *force majeure* finding put forward by the Administration of Cyprus were admissible and verifiable. He therefore supported granting a further extension to 4 July 2024.

5.4.9 **Mr Fianko** considered that the Administration of Cyprus had provided sufficient information indicating why it needed an additional extension. He noted in particular the collaboration between the launch companies, which had even attempted to work within the original time-frame. It was therefore reasonable to grant the extension requested to cover the new launch date and orbit raising.

5.4.10 **Ms Hasanova**, observing that the change in launch provider had required additional engineering work and that extensive and detailed information had been provided in the submission,

considered that the delay qualified as a *force majeure* event and was therefore in favour of granting the extension requested.

5.4.11 **Mr Nurshabekov** and **Mr Di Crescenzo** both considered that the Administration had provided all the information required to determine that the criteria for *force majeure* had been met. They were also in favour of granting the extension.

5.4.12 **Mr Linhares de Souza Filho** said that he was also in favour of granting a further extension, even though the change in launch provider, in his view, could not really be described as "unforeseen". Nevertheless, as also stipulated in the second condition for *force majeure*., if the event was foreseeable, it "must be inevitable or irresistible", and that seemed to be the case.

5.4.13 The **Chair** proposed that the Board should conclude as follows on the matter:

"With reference to the request from the Administration of Cyprus, as contained in Document RRB23-3/6, the Board noted that:

- at its 92nd meeting, the Board had granted the administration an extension, from 15 December 2022 to 31 December 2023, 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, on the grounds of a situation that had qualified as a case of *force majeure*;
- as a result of the *force majeure* events the satellite operator had had to change launch vehicle and had been assigned a new launch window (1 July–30 September 2023), which had required modifications to the payload adaptor;
- the modifications to the payload adaptor had required additional engineering activities owing to the complexity of the task, resulting in the launch window being missed;
- the new launch service provider had offered a second launch window of 20 December 2023 to 28 January 2024 and a 158-day orbit-raising period continued to be required, implying a time-limit for bringing into use of 4 July 2024.

From the information provided, the Board concluded that the additional delays were a direct consequence of the situation that had qualified as a case of *force majeure* at its 92nd meeting and that the situation continued to qualify as such.

Consequently, the Board decided to accede to the request from the Administration of Cyprus to extend to 4 July 2024, 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."

5.4.14 It was so **agreed**.

5.5 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 (Document RRB23-3/9)

5.5.1 **Mr Loo (Head, SSD/SPR)** introduced Document RRB23-3/9, in which the Administration of the Islamic Republic of Iran provided updated information to allow the Board to decide on the duration of the extension period, as requested by the Board at its 93rd meeting when it had also concluded that the situation qualified as a case of *force majeure*. The administration indicated that the launch window had been adjusted to the period from 1 May to 30 June 2024, as shown by the correspondence attached in the annex, and that 60 days would be required for orbit raising. The satellite was expected to reach its orbital position by 29 August 2024. Accordingly, the administration was requesting an extension of approximately 11 months, from 7 October 2023 until 29 August 2024, to bring back into use the frequency assignments to the IRANSAT-43.5E satellite network.

5.5.2 The **Chair** noted that the administration had made a series of extensive efforts to reduce the length of the extension requested.

5.5.3 **Mr Henri** noted that the launch window had been adjusted to two months, which was more reasonable than the six-month period proposed at the Board's 93rd meeting, and that a 60-day orbit-raising period was foreseen. However, the names of the recipients of the correspondence attached in the annex had been redacted. There was no doubt that all the conditions had been satisfied for the situation to qualify as a case of *force majeure* and that an extension should be granted, but he was somewhat concerned that important information to confirm the corresponding launch service provider had not been included in the submission.

5.5.4 **Mr Linhares de Souza Filho** said that, although he understood Mr Henri's concerns, sufficient information had been provided to allow the Board to determine the length of the extension at the current meeting, including the fact that the launch window had been reduced to two months. He could support granting the extension requested but would be interested to hear the views of others as to whether the Board should defer its decision pending information on the launch service provider.

5.5.5 **Ms Mannepalli** recalled that the Board had been considering the case since its 92nd meeting. In her view, the Iranian Administration had submitted the information sought by the Board to the extent possible and might have redacted the names in the attached correspondence for reasons of confidentiality. She would support granting an extension to 29 August 2024, which was two days less than the extension requested at the 93rd Board meeting.

5.5.6 **Mr Talib** recalled that the Board had already concluded that the situation qualified as a case of *force majeure*. Although information relating to the launch service provider was missing, the launch window had been adjusted to two months (1 May to 30 June 2024) and the Board should grant the 11-month extension requested, since it had sufficient information to do so.

5.5.7 **Ms Beaumier** said that in its decision at the 93rd meeting, the Board had sought updated information on the launch plans, including but not limited to the launch window and the launch service provider, since various alternatives had been considered; she was troubled as to why information on the launch service provider had not been included in the latest submission. Moreover, the letter in the annex was from Asklepius LLC, the solution provider hired to make arrangements for bringing into use the assignments, and it was a concern that information had been redacted. The Board's previous conclusion that the situation met all the conditions to qualify as a case of *force majeure* was not being called into question and continued to stand, and she was pleased that the launch window had been narrowed down. Information on the launch service provider was not usually withheld and the Board might wish to invite the Administration of the Islamic Republic of Iran to provide that information to the 95th meeting. She would be interested to hear the views of other Board members on that point.

5.5.8 **Mr Loo (Head, SSD/SPR)** recalled that, at the 92nd meeting, the Iranian Administration had indicated that it had planned to use GeoJump as the launch service provider. At the 93rd meeting, the administration had revised its plan and provided evidence that it had signed a launch services contract with Blue Origin.

5.5.9 **Mr Cheng** said that, as the Bureau had just indicated, the Iranian Administration had provided information on the launch service provider to the Board's 93rd meeting. Furthermore, at that meeting, the administration had invoked No. 196 under Article 44 of the ITU Constitution and it had been noted that IRANSAT-43.5E would be the country's first satellite with national coverage. The case merited special consideration and, in his view, the Board had sufficient information to grant the requested extension.

5.5.10 **Mr Alkahtani** said that the situation had already been deemed to meet all the conditions to qualify as a case of *force majeure*. Even if some elements were missing, the Iranian Administration

had provided sufficient information for the Board to grant the requested extension. **Mr Di Crescenzo** concurred with that view.

5.5.11 **Mr Fianko** said that, while it was curious that the names of the recipients had been redacted, Board documents were public and administrations might consider certain details to be sensitive. The two-month launch window was reasonable and, given the context, he would be prepared to grant an extension until 29 August 2024. Administrations should be mindful that it is in their own interests to provide sufficient information to facilitate the Board's deliberations.

5.5.12 **Mr Nurshabekov** recalled that the Board had decided at its previous meeting that the situation had met all the conditions to qualify as a case of *force majeure*. Given that the information on the launch window had been provided and that the project had been ongoing for some time, he could agree to the extension requested.

5.5.13 The **Chair** noted that the majority of Board members were in favour of granting the requested extension.

5.5.14 **Mr Henri** said that he did not support that course of action for reasons of principle. Two possible launch service providers had been put forward in the course of the Board's consideration of the case. The first, GeoJump, had offered a launch as a hosted payload with the IM-2 lunar mission, which would have involved a particularly lengthy period for the satellite to reach its orbital position. At the 93rd meeting, however, the administration had provided information regarding a launch with Blue Origin in 2024 and an orbit-raising period of 60 days. The Board had since been given updated information on the launch window, but not on the launch service provider, and it was not clear why that information had not been submitted to the current meeting. Although he did not wish to oppose his colleagues, he was reluctant to agree on the length of the extension to be granted by reading between lines and making some inferences given that the administration had not provided all the requested information to the current meeting.

5.5.15 **Ms Hasanova** shared Mr Henri's and Ms Beaumier's views about the lack of information on the launch service provider and noted that the attached correspondence made no reference to the satellite or country name, simply to the orbital location. She suggested that the matter should be further discussed.

5.5.16 The **Chair** proposed that the Board should conclude on the matter as follows:

"The Board considered in detail Document RRB23-3/9 and thanked the Administration of the Islamic Republic of Iran for having provided updated information, requested by the Board at its 93rd meeting.

The Board noted that:

- updated information had been requested on the launch plans, including but not limited to the launch window and launch service provider, allowing the Board to decide on the duration of the extension;
- information had been provided on a launch window of 1 May to 30 June 2024 with an orbit-raising period of 60 days;
- no information had been provided to confirm the corresponding launch service provider.

The Board reiterated the conclusion it had reached at its 93rd meeting that the situation met all the conditions to qualify as a case of *force majeure* and its decision to accede to the 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 therefore instructed the Bureau to:

- invite the Administration of the Islamic Republic of Iran to provide the required updated information and/or documentation on the launch service provider to the 95th Board meeting;

- continue to take into account the frequency assignments to the IRANSAT-43.5E satellite network until the end of the 95th Board meeting."

5.5.17 It was so **agreed**.

5.6 Submission by the Administration of Italy requesting an extension of the regulatory time-limits to bring into use the frequency assignments to the SICRAL 2A and SICRAL 3A satellite networks at 16.2E (Document RRB23-3/13)

5.6.1 **Mr Loo (Head, SSD/SPR)** introduced Document RRB23-3/13, in which the Administration of Italy provided additional information on its request for an extension of the regulatory time-limits to bring into use the frequency assignments to the SICRAL 2A and SICRAL 3A satellite networks at 16.2E, pursuant to the Board's conclusion at its 93rd meeting that the administration had provided insufficient evidence and information for it to determine that the case met the conditions for *force majeure.* In the administration's view, the worldwide spread of COVID-19 and the subsequent long lockdown in Italy were unforeseen; the emergency situation related to the global pandemic was beyond the administration's control; the consequent restrictions directly affected the satellite networks' ongoing development and related schedule; it had been impossible to preserve the original schedule for the SICRAL 3 programme despite the efforts made to meet the time-limit in terms of technical descoping and disembarkation of secondary mission payloads; and the critical in-orbit failure of SICRAL 1 had unexpectedly led to the satellite's early decommissioning. All those factors, compounded by the current geopolitical situation and its impact on global space sector supply chains, had made it impossible for the SICRAL 3 satellite to reach its orbital position within the three-year time-limit imposed by RR No. **11.49**. The administration therefore confirmed its request for a 36-month extension of the regulatory time-limits to bring into use the frequency assignments to the SICRAL 2A and SICRAL 3A satellite networks.

5.6.2 The document's 13 annexes contained official translations into English of, among other things, the relevant contracts, government decrees and timeline demonstrating the impact of the factors mentioned above.

5.6.3 **Mr Henri** expressed curiosity about some of the contracts provided in the annexes. Annexes 2 and 3, for example, referred to a ten-month contract, signed in December 2018 and ending in November 2019 (i.e. while SICRAL 1 was nominally operational), for routine mission analyses and feasibility studies in respect of the SICRAL 3 system; no information was provided, however, on whether those studies had yielded any results, yet such information would have indicated progress on the new generation of satellites. Annex 8 provided information on developments in December 2020 – after the routine studies had been carried out – with regard to primary definitions of a satellite and project phases, and on the planned conclusion on March 2021 of a contract for a satellite to be delivered in November 2024, launched in March 2025 and available on the geostationary orbit in April 2026. It was unclear whether the critical issue with SICRAL 1, which had been decommissioned in early 2021, had already been detected. Annex 10 presented a June 2021 contract between the Italian Ministry of Defence and Thales Alenia Space Italia SpA (Thales) stipulating specific dates for ground delivery of SICRAL 3A (July 2025), launch (November 2025) and availability on the geostationary orbit (2026). Annex 11 presented a June 2022 contract between the Ministry of Defence and Thales, according to which it would take 37 months to supply the SICRAL 3A satellite, therefore confirming the July 2025 availability of the satellite indicated in Annex 10. One year later, in July 2023, a third contract between the Ministry of Defence and Thales stipulated a 60-month period, to July 2027, for the satellite qualification, manufacture and launch campaign (Annex 12).

5.6.4 In the submission itself, the Administration of Italy provided information on the flight readiness review with a launch in December 2025/January 2026, as indicated in the 2022 and 2023 contracts, with six months for orbit raising. The administration's request for extension was for six

months more, to December 2026. The administration also provided information on the impact of the global COVID-19 pandemic in Italy, implying that the partial and total lockdowns enforced between February 2020 and March 2022 had had an effect, but not on the impact of the lockdowns on Thales or other companies. The satellite's current manufacturing status remained unclear – would it be completed in June 2025? While he had no doubt that Italy had been severely affected by the global pandemic, the submission contained no evidence that the delays in the satellite programme could be ascribed solely to the pandemic and no description of the link between the government's pandemic-related actions and Thales' operations. In short, a number of aspects still required further explanation clearly demonstrating that the case fully qualified as a situation of *force majeure*. Given that the regulatory deadline was 15 May 2024, he was not currently in a position to accede at this stage to the request for an extension, which should in any case not take account of the period of in-orbit testing.

5.6.5 **Ms Beaumier** thanked the Administration of Italy for the helpful information and supporting documentation provided in the submission but suggested that it would have been useful to include a table of all the changes and slippages in the project timelines. Moreover, while the submission contained more convincing arguments that the case potentially qualified as a *force majeure* situation, it still failed to draw a direct link between the global COVID-19 pandemic and the project delays. She noted that the request also took into account in-orbit testing and commissioning, which the Board would not accept given that the satellite was apparently going directly into orbit. Had it not been for the compounding effect of the pandemic and the critical failure of the SICRAL 1 satellite, the administration would probably have experienced no difficulty in meeting the deadlines, but the submission contained no information on satellite construction and launch plans and it was therefore difficult to determine the duration of the extension. The main difficulty for the Board remained whether the delays encountered were solely attributable to the *force majeure* events. She was therefore also not in a position to grant an extension at the present meeting and was in favour of requesting specific further information.

5.6.6 **Mr Linhares de Souza Filho** thanked the Administration of Italy for providing translations into English of the documents in the annexes. The case appeared to contain elements meeting the four conditions for *force majeure* but the Board should perhaps be clearer about the responses it expected from the administration. The administration had to clearly spell out how the four conditions for *force majeure* had been met; the Board could not be expected to act on presumptions. He was not in a position to agree to an extension at the present meeting and suggested that the Board should make it clearer in its conclusion on the matter that it wanted direct answers to its questions.

5.6.7 **Ms Mannepalli** also thanked the Administration of Italy for having translated the documents in the annexes into English. It nevertheless remained unclear that all four conditions for *force majeure* had been met. She found it difficult to reach a conclusion on the case, given the wealth of information that had been made available.

5.6.8 **Mr Cheng** said that he felt a great deal of sympathy for the Administration of Italy; the satellite project was real and had a long-term plan. It nevertheless remained unclear what the Board was being asked to do from the regulatory point of view. It was his understanding that the frequency assignments had been suspended on 15 May 2021, that the administration had three years, until 15 May 2024, to bring them back into use and that it was requesting an extension of that time-limit for reasons of *force majeure.* Much of the information it had provided in the annexes to the submission was not relevant for the Board while other information was missing. He suggested that the administration should be invited to reorganize the information in line with the Board's report to WRC-23 under Resolution **80 (Rev.WRC-07)**, in particular, § 4.4.2 with a view to facilitating the Board's consideration of the request.

5.6.9 **Ms Beaumier** and **Mr Henri** considered that it would be preferable not to suggest that the Administration of Italy needed to resend the Board all the information listed in the Resolution **80** report and that it was therefore best not to refer to the report in the Board's conclusion.

5.6.10 **Mr Talib** considered that the documents contained in the submission confirmed that the criteria for *force majeure* had been met and that the Board's conclusion on the matter should send a positive signal to the Administration of Italy in that regard. The question that remained was the duration of the extension, and in that respect, the Board should ask for specific information enabling it to make the necessary calculations.

5.6.11 **Mr Fianko** agreed with previous speakers that greater clarity was needed on how the global COVID-19 pandemic had affected the project timelines, specifically whether the regulatory time-limit would have been met had the pandemic not occurred and SICRAL 1 not suffered a critical failure.

5.6.12 The **Chair** proposed that the Board should conclude as follows on the matter:

"Having considered in detail the request of the Administration of Italy for an extension of the regulatory time-limit to bring into use the frequency assignments to the SICRAL 2A and SICRAL 3A satellite networks, as contained in Document RRB23-3/13, the Board thanked the administration for providing additional information and supporting documentation. While the case still appeared to contain elements that could meet the conditions for the situation to qualify as a case of *force majeure*, the Board noted that:

- the information provided had not been presented in a manner that facilitated understanding of the project timelines and the delays encountered;
- no evidence had been provided demonstrating that the delays experienced could be ascribed solely to the global COVID-19 pandemic;
- the duration of the requested extension of 32 months had included the time for orbit raising but no information had been provided on the launch plans, launch window and launch service provider;
- the requested extension period also included a period for in-orbit testing and commissioning of the satellite, which would not qualify for inclusion;
- insufficient information had been provided on the status of the project before and after the failure of the SICRAL 1 satellite and the global pandemic;
- the status of the satellite construction had not been provided.

Consequently, the Board required additional information to determine whether the situation met all the conditions to qualify as a case of *force majeure* and to determine an appropriate time-limited extension.

The Board therefore instructed the Bureau to invite the Administration of Italy to provide additional information to the 95th Board meeting, in sufficient detail to:

- be presented in a table format allowing for a comparison of the project milestones for the construction and launch of the satellite (i) when the SICRAL 3 project had begun, (ii) when the pandemic had begun to impact the project, (iii) when the frequency assignments to the SICRAL 2A and SICRAL 3A satellite networks had been suspended following the deorbiting of the SICRAL 1 satellite, and (iv) when the request for extension had been submitted to the Board;
- identify project milestones that had been completed and the date of completion;
- describe the status of the satellite construction at the time of the request and before each *force majeure* event, and the date it had begun;

- describe the launch plans, launch window and launch service provider with supporting documentation (e.g. letter from launch service provider, contract signature date) or, in the absence of a contract, the assumptions made;
- update and justify the length of the extension requested, including a breakdown of the nature and extent of the delays experienced at each time period identified in the first bullet point above, with supporting documentation and/or information (e.g. letters from the manufacturer);
- demonstrate that delays had been solely attributed to the pandemic."

5.6.13 It was so **agreed**.

5.7 Submission by the Administration of China (People's Republic of) requesting an extension of the regulatory time-limit to bring into use the frequency assignments to the ITS-AR-77.2W satellite network (Document RRB23-3/7)

5.7.1 **Mr Loo (Head, SSD/SPR)** introduced Document RRB23-3/7, in which the Administration of China requested an extension of the regulatory time-limit to bring into use the frequency assignments to the ITS-AR-77.2W satellite network of 7 months and 10 days, from 23 March 2024 to 1 November 2024, on the grounds of co-passenger delay.

5.7.2 Outlining the facts of the case, he said that the contract for the manufacturing and in-orbit delivery of the CSCN-G02 satellite had been signed by the China Academy of Satellite Network System Co, Ltd (CASNS) and the China Academy of Space Technology (CAST) in June 2021 (Annex 1); the ex-factory review was scheduled to be completed by 15 January 2024 and the satellite would leave the factory on 18 January (Annex 2); and the satellite was to be launched as a secondary payload on 20 February 2024 (Annexes 3 and 4 contained a summary of the contract for the CSCN-G02 satellite launch service and information on the launch service provider). The satellite would be deployed at 77.2° W on 27 February 2024, with sufficient time for the frequency assignments to be brought into use before the regulatory deadline.

5.7.3 The originally scheduled launch had had to be postponed to no earlier than March 2025 because of serious quality issues identified in the mechanical tests for the primary payload. CASNS had been informed of the delay on 1 September 2023 and had informed the operator (China Satellite Network Group Co, Ltd (CSCN)) of the situation on 5 September 2023 (Annex 5). CSCN had received negative responses to its enquiries to find another satellite to bring into use the frequency assignments to the ITS-AR-77.2W satellite network before the expiry of the regulatory deadline (Annexes 6 and 7). The operator had requested the launch service provider to replace the launch vehicle and launch the CSCN-G02 satellite as the sole payload as soon as possible, and an alternative launch vehicle had been procured with a launch window from 25 September to 25 October 2024 (Annex 8). With the seven days of orbit-raising, the frequency assignments would be brought into use by 1 November 2024. The Administration of China noted that all the necessary regulatory procedures had been completed and that the operator had already invested substantial financial resources and efforts in the manufacture and launch of the CSCN-G02 satellite. With the satellite now being launched as a sole payload, the delay in bringing into use caused by co-passenger delay would be reduced by at least five months.

5.7.4 The **Chair** thanked the Administration of China for its well-prepared and detailed submission. He noted that the notification and Resolution **49 (Rev.WRC-19)** information had been submitted to the Bureau on 25 August 2023. If the CSCN-G02 satellite had been launched as the secondary payload on 20 February 2024 as planned, the regulatory time-limit of 23 March 2024 could have been met.

5.7.5 **Ms Hasanova** noted that the necessary coordination procedures had been completed and that Resolution **49 (Rev.WRC-19)** information had already been submitted to the Bureau. As indicated in Annex 2, the CSCN-G02 satellite project was proceeding on schedule and the supporting ground infrastructure had been completed. The originally planned launch had been postponed to no earlier than March 2025. However, with the new launch window of 25 September to 25 October 2024, the frequency assignments to the ITS-AR-77.2W satellite network could be brought into use by 1 November 2024. She was in favour of granting an extension until that date on the grounds of co-passenger delay.

5.7.6 **Mr Henri** said that the Administration of China had provided evidence to show that the CSCN-G02 satellite should be completed by 15 January 2024 and that, with the scheduled launch a few days later, the regulatory time-limit would have been met. However, its launch as a secondary payload to the CMTSAT-1 satellite had been postponed to no earlier than 25 March 2025 owing to quality issues identified in the mechanical tests for the primary payload. In the absence of the impact of the co-passenger delay, the administration would have been able to meet the regulatory time-limit of 23 March 2024. The Board should recognize the efforts of the satellite operator to find alternative means to meet the regulatory time-limit, including through the use of an in-orbit satellite. The operator had procured an alternative launch vehicle on which the satellite would be the sole payload, with a launch window from 25 September to 25 October 2024. In his view, the situation qualified as a case of co-passenger delay and the requested extension until 1 November 2024 was limited, defined and fully justified. That said, given that the regulatory deadline was 23 March 2024, the Board might wish to defer its decision to its next meeting, by which time it would have proof of satellite completion in mid-January 2024. However, in view of all the other measures taken and the fact that the project had proceeded on schedule thus far, he could agree to grant the extension at the current meeting.

5.7.7 **Mr Talib** thanked the Administration of China for its well-structured and comprehensive submission and, noting the tight launch windows between January and March 2024, observed that, because of the manufacturing delay with the primary payload, the original launch for the CSCN-G02 satellite had been postponed to no earlier than March 2025. He commended the administration for finding an alternative solution with a new launch window from 25 September to 25 October 2024, with 1 November 2024 as the latest date for bringing into use the frequency assignments to the IST-AR-77.2W satellite network. The situation qualified as a case of co-passenger delay and the Board should grant the fully justified extension of 7 months and 10 days at the current meeting.

5.7.8 **Ms Beaumier** said that she appreciated the details and supporting evidence provided by the Chinese Administration and the particular care taken to explain all the parties involved. Unfortunately, the letter concerning the postponement of the CSCN-G02 satellite launch (Annex 5) was not dated, but based on all the other information provided the Board had sufficient information to reach a conclusion. The table set out in Annex 2 showed that satellite construction had been proceeding on schedule for a launch in February 2024 that would have enabled the administration to meet the regulatory time-limit to bring into use the frequency assignments. Due to a lack of readiness of the primary payload, the launch date had been postponed until 2025. The satellite operator had made efforts to find an interim satellite for bringing into use but ultimately had decided to use an alternative launch vehicle with a launch window later in 2024. The situation clearly qualified as a case of co-passenger delay and the Board should grant the requested extension until 1 November 2024, which was time-limited and justified. Recalling that the satellite was due for completion just before the initial launch scheduled for February 2024, she said that the fact that the satellite was not yet ready should not be a cause for concern in the current case. The Board should be confident that the schedule would be respected and should proceed on that basis.

5.7.9 **Ms Mannepalli** thanked the Administration of China for its detailed and logically structured submission and, like Ms Beaumier, observed that Annex 5 was the only annex not dated. The

administration had been made aware of the situation with the primary payload early in September 2023 and its attempts to find alternative satellites for bringing into use had been unsuccessful. It had procured a different launch vehicle on which the satellite would be the sole payload with a clear launch window. Based on the explanations and justifications provided, the situation qualified as a case of co-passenger delay and she could agree to grant an extension until 1 November 2024.

5.7.10 **Mr Fianko** said that the submission was well organized and the case clearly presented. He was in favour of granting an extension on the grounds of co-passenger delay until 1 November 2024. He wondered whether the date had been included in the original Chinese version of Annex 5.

5.7.11 **Mr Di Crescenzo** agreed that the submission provided by the Chinese Administration was well structured and clear, and the supporting information provided in the annexes was exhaustive. He could support the requested extension.

5.7.12 **Mr Nurshabekov** said that the complete and clear information provided by the Administration of China had shown that the situation had arisen because of technical issues with the primary payload and that its efforts to find a replacement satellite had been unsuccessful. He was in favour of granting the extension requested.

5.7.13 The **Chair** proposed that the Board should conclude on the matter as follows:

"The Board carefully considered Document RRB23-3/7, in which the Administration of China requested an extension of the regulatory time-limit to bring into use the frequency assignments to the ITS-AR-77.2W satellite network. The Board noted the following points:

- Construction of the satellite that would bring into use the frequency assignments to the ITS-AR-77.2W satellite network, was proceeding as planned and scheduled for completion on 18 January 2024, while the supporting ground infrastructure had been completed.
- The satellite had been the secondary payload on a launch vehicle to be launched on 20 February 2024 with an orbital deployment date of 27 February 2024.
- The construction of the primary payload of the launch vehicle had been delayed by manufacturing quality issues, resulting in a new launch date of not earlier than March 2025.
- The satellite operator had made efforts to identify alternative satellites to bring into use the frequency assignments to the ITS-AR-77.2W satellite network but had been unsuccessful.
- Finally, the satellite operator had procured an alternative launch vehicle on which the satellite would be the sole payload with a new launch window, from 25 September to 25 October 2024, with 1 November 2024 as the latest date for bringing into use the frequency assignments to the ITS-AR-77.2W satellite network.

From the information provided, the Board concluded that:

- but for the delay of the primary payload, the administration would have been able to meet the regulatory time-limit of 23 March 2024;
- the satellite operator had made considerable efforts to meet the original regulatory time-limit and to minimize the length of the extension requested;
- the situation qualified as a case of co-passenger delay and the requested extension was limited and justified.

Consequently, the Board decided to accede to the request from the Administration of China to extend to 1 November 2024 the regulatory time-limit to bring into use the frequency assignments in the bands 3 700-4 200 MHz, 3 630-3 650 MHz, 5 925-6 425 MHz, 5 850-5 870 MHz, 17 700-20 200 MHz and 27 500-30 000 MHz to the ITS-AR-77.2W satellite network."

5.7.14 It was so **agreed**.

6 Submission by the Administration of the Islamic Republic of Iran regarding the provision of Starlink satellite services in its territory (Documents RRB23-3/8, RRB23-3/DELAYED/2 and RRB23-3/DELAYED/3)

6.1 **Mr Vallet (Chief, SSD)** introduced Document RRB23-3/8, in which the Administration of the Islamic Republic of Iran replied to the questions raised by the Board in its conclusion on the administration's submission to the 93rd Board meeting regarding the provision of Starlink satellite services in Iranian territory. According to the administration, Starlink terminals were transmitting from within its territory and the satellite system was able to determine that the transmissions originated from within that territory; the terminals in question had been smuggled into its territory, in contravention of its national regulations, and were operating under subscriptions associated with physical addresses outside the territory; and the administration had not received an application or granted a licence for the provision of Starlink satellite services from within its territory. The administration cited RR No. **18.1**, *recognizing c)* and *resolves* 1, 2 and 3 of Resolution **22 (WRC-19)**, and the *resolves* section of Resolution **25 (WRC-03)** in support of its case. It requested the Board to urge the administrations concerned immediately to disable access to the Starlink system by any unauthorized terminal operating on its territory.

6.2 He also introduced Document RRB23-3/DELAYED 2, in which the Administrations of Norway (Starlink notifying administration) and the United States of America (associated administration) replied to various communications from the Bureau on the matter. In their reply, the two administrations stated that it appeared to them, from the information provided by the Iranian Administration, that parties possibly associated with the Islamic Republic might have acquired Starlink earth stations in European countries where Starlink was authorized to provide services. They might have done so under false pretences and in violation of the Starlink terms of service prohibiting the use of Starlink equipment in jurisdictions where it was not licensed. To the best of Starlink's knowledge, as reported by SpaceX, the parties' sole purpose in doing so was to conduct tests of the earth stations, in direct contravention of SpaceX's terms of service. SpaceX did not retain ownership of those earth stations and did not market, sell or operate such equipment in the Islamic Republic.

6.3 In reply to a question from **Mr Talib** about whether Starlink had the technical capability to disable a terminal's access to its services, he said that the Board might wish to ask the question of the administrations concerned. He did not know if access could be disabled on the basis of the terminal's geographical location alone or whether Starlink would need to have information on the person concerned and the terminal's registration.

6.4 **Mr Talib** said that he considered the reply to that question a fundamental element for the Board's analysis and conclusion, and proposed that it be raised with the notifying and associated administrations.

6.5 **Mr Fianko** said that the Iranian Administration's acknowledgement that the Starlink terminals had been smuggled into its territory in contravention of national laws demonstrated that Starlink was not actively promoting its service in the country. He was more concerned about the message that appeared when the terminals were switched on (Figure 1 in Document RRB23-2/8). The fact that the message appeared in Farsi as well as in English showed that the terminal knew its location; it was therefore difficult for the operator to maintain that it was unaware of that situation. The Iranian Administration had also provided what appeared to be a legitimate video message from the chief executive officer of the operating entity, SpaceX, referring to terminals in the Islamic Republic of Iran; Starlink could therefore hardly claim that it was totally ignorant of what was going on. He was inclined to think an active attempt had been made to create certain opportunities for the use of Starlink in Iranian territory; that attempt was in contravention of the Radio Regulations as appropriate authorization had not been given by the administration concerned. The Iranian

Administration had indicated that landing rights licences were available for satellite operators; Starlink had yet to show that it had even applied and should submit to the licensing process.

6.6 The Administration of Ghana had experienced similar instances of people smuggling Starlink equipment into the country and using Starlink packages obtained from someone in a country where Starlink was legally sold. Starlink had ultimately applied for landing rights, and the Board must impress on it the need to do so in the present case as well, in line with the Radio Regulations. It must be remembered that some administrations had concerns about the future of indigenous stations and were eager to promote local content. In that respect, he considered that the Board should clearly request Starlink to apply its conclusion in every country worldwide.

6.7 **Mr Linhares de Souza Filho** said that the Board had to focus on the Radio Regulations, not on the marketing or sales issues in the case. The fact was that the transmissions were originating from the territory of the Islamic Republic of Iran, in contravention of RR No. **18.1** and Resolutions **22 (WRC-19)** and **25 (WRC-03)**. The Board had the elements it needed to propose a straightforward conclusion on the case: no matter where the equipment had been obtained, companies must have ways to disable operations in countries in which they were not authorized to operate.

6.8 **Mr Cheng**, noting that the Starlink terminals had clearly been smuggled into the Islamic Republic of Iran and used physical addresses in foreign countries, said that the Starlink system should have warned about the terminals' location and the terminals should consequently have been denied access to Starlink services. The terminals were clearly transmitting from the territory of the Islamic Republic without the administration's authorization, in contradiction of Resolutions **22 (WRC-19)** and **25 (WRC-03)**. It was up to the notifying administration to ensure that its system would not work from territories in which it was not authorized to operate. The Board should remind the notifying and associated administrations of their obligation to act in strict compliance with Resolutions **22** and **25**, and invite them to take immediate measures to deny the use of Starlink systems on the territory of the Islamic Republic of Iran.

6.9 **Ms Beaumier** agreed with Mr Fianko: Starlink might not be actively promoting its service in the Islamic Republic of Iran but the message of caution that appeared in Farsi as well as English indicated that it was aware that unauthorized transmissions were originating in the country, in contravention of RR No. **18.1** and Resolutions **22 (WRC-19)** and **25 (WRC-03)**. Since the system knew where the terminals were, it should be able to deny them access in territories where they were operating without authorization. The Board needed answers to specific questions – What measures had Starlink taken to ensure compliance with *resolves* 1 and 2 of Resolution **22** beyond adding a warning to its terms of service? Now that Starlink knew about the situation, what was it doing to resolve the issue? – in order to conclude on the matter. The initial response of the Administrations of the United States and Norway that it was not their policy to provide unauthorized services was commendable but insufficient: they were expected to take additional measures, especially in view of the issues raised.

6.10 **Mr Henri** agreed that Starlink clearly had to be aware that some of its terminals were operating in the Islamic Republic of Iran, as evidenced by the Starlink message in English and Farsi. All those terminals were probably geolocated, including for coordination purposes, but Starlink had taken no action to prevent their illegal use, in contravention of RR No. **18.1** and Resolutions **22 (WRC-19)** and **25 (WRC-03)**. In the absence of any action beyond an administrative response, the Board must send a stronger message and require pointed clarifications from the Administrations of Norway and the United States on measures that had been taken to actually prevent the provision of Starlink services in territories where they had not been authorized.

6.11 **Mr Talib** said that there was a big difference between providing a service on a territory and having terminals in that territory. The request from the Iranian Administration concerned the provision of services on its territory. After the recent earthquake in Morocco, for example, the

Kingdom's administration had received notice of certain stations operating without authorization in the areas concerned. The stations belonged to volunteers and associations that made available connections to people who no longer had access to terrestrial networks. The administration had contacted the users and authorized their operations for a specific period (three weeks at most); it had also asked Starlink and SpaceX to address the case and apply for licences. The applicable international provisions (RR No. **18.1** and Resolutions **22 (WRC-19)** and **25 (WRC-03)**) set out clear obligations, as did the national regulations of all countries, including the Islamic Republic of Iran. He proposed that the Administrations of Norway and the United States be asked to provide additional information for the Board's next meeting on the geolocation functionalities of the terminals concerned and that Starlink be asked to prevent their unauthorized use on the territory of the Islamic Republic of Iran.

6.12 **Mr Alkahtani** said that it was clear from the information provided that Starlink could identify the location of user terminals and that the Starlink system could be accessed by individuals without authorization. The case was obviously one of unauthorized transmissions. In response to the Iranian Administration's request for compliance with the Radio Regulations, Starlink should be asked to take action to resolve the issue; the Board must also send a strong message to the notifying and associated administrations on compliance with RR No. **18.1** and Resolutions **22 (WRC-19)** and **25 (WRC-03)**.

6.13 **Ms Mannepalli** expressed sympathy for the Iranian Administration, which had done its best to provide evidence that the terminals were being used well within its territory. The response from the Administrations of Norway and the United States was weak: Starlink operated in the fixed-satellite service using VSAT terminals, which would have in-built GPS systems for geolocation. She was surprised that the response did not acknowledge that fact. The Board should frame specific questions and ask the notifying and associated administrations to adhere to RR No. **18.1** and Resolutions **22 (WRC-19)** and **25 (WRC-03)**.

6.14 **Ms Hasanova**, noting that the Administrations of Norway and the United States had said that they needed more time to address what was a complicated issue, expressed the hope that they would be in a position to answer the Board's questions before the 95th meeting.

6.15 **Mr Nurshabekov** agreed with previous speakers that Starlink clearly knew that the terminals were on the territory of the Islamic Republic of Iran. The Board should call on the notifying and associated administrations to comply with the Radio Regulations, stop unauthorized transmissions and seek the relevant licences from the Islamic Republic.

6.16 **Mr Di Crescenzo** agreed with the arguments presented by previous speakers. The Board had enough information at its disposal to call for compliance with RR No. **18.1** and Resolutions **22 (WRC-19)** and **25 (WRC-03)**.

6.17 **Mr Vallet (Chief, SSD)** introduced Document RRB23-3/DELAYED/3, in which the Iranian Administration set out its response to the comments made by the Administrations of Norway and the United States in Document RRB23-3/DELAYED/2, notably its objection to the word "allegations": the Iranian Administration considered that its statements were fact-based. Moreover, it was not sufficient for Starlink to state that it did not officially provide services in the Islamic Republic. It had enough information – the physical address of the subscriber and the actual geographical position of the terminal – to be able to refuse access for its systems to terminals located on Iranian territory.

6.18 **Mr Cheng** pointed out that, in Document RRB23-3/DELAYED/3, the Iranian Administration asked how Starlink authorized the terminals on its territory to connect to the Starlink system. The Board should invite the Bureau to raise that question with the notifying and associated administrations.

6.19 The **Chair** proposed that the Board should conclude as follows on the matter:

"The Board carefully considered Document RRB23-3/8 and considered Document RRB23-3/DELAYED/3 for information; both contained information provided by the Administration of the Islamic Republic of Iran on the provision of Starlink satellite services in its territory**.** The Board thanked the Administration of the Islamic Republic of Iran for providing the information requested at the 93rd Board meeting. It also thanked the Administrations of Norway and the United States for having provided an initial response (Document RRB23-3/DELAYED/2, considered for information) to the Bureau's letter on the case. The Board noted the following points:

- The information provided by the Administration of the Islamic Republic of Iran demonstrated that Starlink terminals were able to send transmissions from within its territory and that the satellite system was able to determine the transmissions of the satellite user terminals as originating from within the territory of the Islamic Republic of Iran.
- According to the Administration of the Islamic Republic of Iran, the terminals in question had been illegally imported into its territory, in contravention of its national regulations, and were operating under subscriptions associated with physical addresses outside its territory.
- The Administration of the Islamic Republic of Iran had not received an application for or granted a licence for the provision of Starlink satellite services from within its territory.
- Stipulating in the terms of service with its customers that the utilization of terminals in territories where they were not authorized was prohibited did not suffice to waive the satellite operator's and service provider's responsibility to disable the operation of terminals in such territories.

Consequently, the Board reiterated that the provision of transmissions from within any territories where they had not been authorized was in direct contravention of the provisions of RR Article **18** and of *resolves* 1 and 2 of Resolution **22 (WRC-19)** and the *resolves* of Resolution **25 (WRC-03)**, and requested the Administration of Norway, acting as the notifying administration for the relevant satellite systems providing Starlink services, and the Administration of the United States, as an associated administration to the notifying administration, to comply with those provisions by taking immediate action to disable Starlink terminals operating within the territory of the Administration of the Islamic Republic of Iran.

The Board instructed the Bureau to invite the Administrations of Norway and the United States to provide further clarification on the following points to the Board's 95th meeting:

- What measures had been taken, besides stipulations in customer terms of service, to prohibit the provision of Starlink services in territories where they had not been authorized, to ensure compliance with the provisions of RR Article **18**, *resolves* 1 and 2 of Resolution **22 (WRC-19)** and the *resolves* of Resolution **25 (WRC-03)**?
- What steps had been taken to resolve cases where Starlink terminals were operating without authorization pursuant to *resolves* 3 of Resolution **22 (WRC-19)**?
- How were connections from Starlink terminals authorized from within territories of countries where they had not been authorized?"

6.20 It was so **agreed**.

7 Submission by the Administration of the United Kingdom of Great Britain and Northern Ireland requesting an appeal to the decision of the Radiocommunication Bureau to give an unfavourable finding to some frequency assignments to the O3B-C satellite system in the MIFR (Document RRB23-3/10)

7.1 **Mr Ciccorossi (acting Head, SSD/SSC)** introduced Document RRB23-3/10, in which the Administration of the United Kingdom of Great Britain and Northern Ireland requested the Board to reconsider the Bureau's decision to give an unfavourable finding to some frequency assignments to the O3B-C satellite system and to instruct the Bureau to publish an updated Part II-S retaining all its frequency assignments as notified under RR No. **11.2**.

7.2 He noted that the Bureau had given an unfavourable finding under RR No. **11.31** because the United Kingdom Administration had not provided any indication to the Bureau of the service link in the mobile-satellite service (MSS) associated with the feeder link. In its submission to the Board, the administration made several points: the corresponding MSS assignments were contained in a different filing; there was no rule of procedure on the issue and the Bureau's current practice was not documented; the BR-SIS validation software did not provide a warning; there were some examples of split systems recorded in the MIFR; and the Bureau had not sought clarification before issuing the findings.

7.3 Providing the Bureau's response to those points, he said that, while the association between the feeder link and the service link could be indicated in the same filing or different ones, the notifying administration had not indicated the associated service link either to the Bureau or in its submission to the Board, even though that requirement had been made clear to the administration. It was true that there was no rule of procedure on the issue. However, the Bureau considered RR No. **5.535A**, which indicated that the use of the band 29.1-29.5 GHz (Earth-to-space) by the fixed-satellite service was limited to geostationary-satellite systems and feeder links to non-geostationary-satellite systems in the MSS, to be clear. Moreover, similar systems with feeder links also existed in the broadcasting-satellite service (BSS) and had been recorded in the MIFR with a favourable finding because the notifying administration had indicated the associated satellite system in the covering letter. Information on that practice, which had been followed by the Bureau since 1996, was available on the Board's SharePoint. It would be very difficult, if not impossible, to include automation in the BR-SIS validation software to identify the association among space systems that needed to be specified by the notifying administration. However, in his report to WRC-23, the Director of the Radiocommunication Bureau had included a proposal to address the need to provide the identity of the associated satellite network(s) or system(s) containing the service-link frequency assignments as a new mandatory data item in Appendix **4**. Some split systems had indeed been recorded in the MIFR, but that was because the notifying administration had provided a clear indication of the association in its cover letter. The Bureau had not sought clarification from the United Kingdom Administration before issuing its finding because RR No. **5.535A** was clear on the need for an associated MSS service link. In conclusion, the Bureau considered the unfavourable finding to be appropriate. The United Kingdom administration could make a new submission under the Article **9** and **11** procedures for the service links if they were actually in use.

7.4 The **Chair** noted that the relevant paragraph on associated satellite networks of the Director's report to WRC-23 could be found in § 3.2.1.12 of Addendum 2 to Document WRC23/4.

7.5 **Mr Ciccorossi (acting Head, SSD/SSC)**, responding to a question from the **Chair**, recalled that the Bureau had given unfavourable findings in the past with respect to frequency assignments in the BSS as well as in the MSS when the notifying administration had not provided the association with the relevant service links; documentation to that effect was available on the Board's SharePoint. If the Board considered that the practice followed by the Bureau since 1996 was not appropriate, previous cases might have to be reviewed and the administrations concerned might have to make a

new submission for the service links if they were actually in use. In order to increase transparency regarding the arrangement, the Bureau was proposing the addition of a new mandatory Appendix **4** data item.

7.6 **Ms Beaumier** said that she understood from the Bureau's explanations that cases in the past that had not contained both the service and feeder link assignments in the same filing had received a favourable finding because the notifying administration had provided clarification regarding the service links in its covering letter. The Bureau's actions were appropriate since it was implicit from the footnote that administrations needed to indicate both the feeder links and associated service links – not necessarily together in the same filing – for the feeder links to be considered compliant with the Radio Regulations. She noted that the Administration of the United Kingdom had not provided the information needed to identify the filing containing the service link for the MSS in its submission to the Board. While the onus should not necessarily be on the Bureau to request clarification, she acknowledged that there was no explicit requirement to provide information and the need to do so might not be obvious to administrations. Furthermore, some administrations tended to rely on validation software and hope that the Bureau would request any missing information. Although the Bureau had acted correctly in the present case, she acknowledged that things were not 100% clear, and she would have no difficulty in instructing the Bureau to seek clarification from the United Kingdom Administration. Such an approach was not likely to have any bearing on past cases, as other administrations could always have raised any concerns. As the issue would be discussed at WRC-23, there was no need to update the rules of procedure at present.

7.7 **Ms Mannepalli** observed that the Bureau considered RR No. **5.535A** to be clear and that, in some cases, information on the associated service link had been detailed in the covering letter from the notifying administration. Recalling the points raised by the Administration of the United Kingdom in its submission, she said that the Bureau could seek clarification of the details of the corresponding network from the Administration of the United Kingdom. She noted that the addition of a new mandatory Appendix **4** data item would be considered by WRC-23.

7.8 **Mr Henri** said that the point at issue was not the practice followed by the Bureau in the examination of the O3B-C satellite system, but the application of the Radio Regulations, in particular RR No. **5.535A**. He also stressed that the space software package, including the space filing validation made available to administrations was to assist administrations, but not to supersede the application of the provisions of the RR and consequent examination. After considering the submission from the Administration of the United Kingdom and the documentation made available by the Bureau including the exchange of letters between the Bureau and the UK Administration on the Board's SharePoint, he was of the view that the Bureau had acted correctly and in accordance with the Radio Regulations. He would therefore be unable to accede to the administration's request to reconsider the Bureau's decision. The Board should close its consideration of the case at the current meeting.

7.9 **Mr Linhares de Souza Filho**, recalling the requests made by the United Kingdom Administration in its submission, agreed that there was no need to update the rules of procedure at present, as the issue was going to be considered by WRC-23. He also agreed that the Bureau had dealt with the case correctly. However, he understood that the administration had provided further information in its submission to the Board, and the Board might therefore wish to reconsider the Bureau's decision.

7.10 **Mr Cheng** said that, according to the documentation provided by the Bureau on the Board's SharePoint, the MSS assignments had been suppressed under RR No. **11.48** and there was no longer any valid filing for the O3B-C satellite system at the time of examination. He therefore failed to understand how a favourable finding could be given to the feeder link for those assignments. Recalling RR No. **5.535A** and the definition of feeder link in RR No. **1.115**, he considered that the

Bureau had applied the Radio Regulations correctly and agreed that the Board did not need to reconsider the Bureau's decision.

7.11 **Mr Vallet (Chief, SSD)** said that, for the sake of fairness, any change to the rules decided by the Board prompted by the complaint made by the United Kingdom Administration would have to be applied to all previous cases and there are many.

7.12 **Mr Ciccorossi (acting Head, SSD/SSC)** pointed out that the Administration of the United Kingdom had not indicated the associated satellite system for the MSS in its submission to the Board.

7.13 **Ms Beaumier** asked whether the United Kingdom Administration had identified the MSS filing to the Bureau, either formally or informally, and whether there was such a filing that could be associated with the O3B-C satellite network. If there was no such filing, then the unfavourable finding for the feeder link assignments should stand.

7.14 **Mr Ciccorossi (acting Head, SSD/SSC)** explained that the filing had included the service link frequency assignments in the coordination request for the satellite network. However, those frequency assignments had subsequently been suppressed under RR No. **11.48** at the end of the seven-year regulatory period. Another filing, which had been submitted later and had MSS assignments, was still under coordination and had different orbital characteristics to the O3B-C filing. It was difficult for the Bureau to make assumptions on association and on how far it could go not only in terms of orbital parameters but also in terms of the timing, as the submission had been made later. The notifying administration had not indicated, either in the submission letter to the Bureau or in its appeal to the Board, the name of the associated satellite system. After the unfavourable finding had been issued and published, the operator had, however, contacted the Bureau by e-mail requesting clarification, which the Bureau had duly provided. The administration should therefore have understood the importance of identifying the satellite name.

7.15 **Mr Linhares de Souza Filho** thanked the Bureau for its clarifications. As the Administration of the United Kingdom had not provided the additional information, the unfavourable finding should stand.

7.16 **Mr Cheng** suggested that the Board might wish to include in its conclusion wording to the effect that the feeder links should be on the same space station (orbital plane) having the corresponding service links.

7.17 **Mr Henri** said that, while another filing with an associated MSS allocation to the O3B-C system might exist, the Board had not been given sufficient information on the various conditions needed to conclude that the two filings could be linked. The relationship between feeder links and service allocation would be discussed during WRC-23 under the Director's report and there might be some discussion about the approach taken in the past, particularly with regard to application to non-geostationary satellite systems. He would therefore refrain from including such wording in the conclusion.

7.18 The **Chair** proposed that the Board conclude on the matter as follows:

"The Board carefully considered Document RRB23-3/10, in which the Administration of the United Kingdom appealed the decision of the Radiocommunication Bureau to give an unfavourable finding to some frequency assignments to the O3B-C satellite system in the MIFR**.** The Board noted the following points:

- The Administration of the United Kingdom had provided the information needed to identify the filing containing the service link associated with the feeder link neither to the Bureau nor in its submission to the Board.
- The O3B-C filing had included the service link frequency assignments in the coordination request for the satellite network. However, those frequency assignments had subsequently

been suppressed under RR No. **11.48** since Resolution **49 (Rev.WRC-19)** and the notification had not been provided by the notifying administration.

- For several systems with filings containing only feeder links, successfully recorded in the MIFR, the notifying administrations had indicated the necessary association with the relevant service links in compliance with RR No. **5.535A**.
- In the report to WRC-23, the Director of the Radiocommunication Bureau had included a proposal to address the need to provide the identity of the associated satellite network(s) or system(s) containing the service-link frequency assignments as a new mandatory data item in Appendix **4**.

The Board concluded that:

- the Bureau had acted in accordance with the provisions of the Radio Regulations, specifically RR No. **5.535A**;
- compliance with the provisions of RR No. **5.535A** could only be verified if service links were identified by the notifying administration and the Bureau was not required to seek clarifications from notifying administrations;
- a software implementation of the Radio Regulations was not a replacement for the latter;
- a rule of procedure was not required since WRC-23 would be considering the issue.

Consequently, the Board decided not to accede to the request of the Administration of the United Kingdom."

7.19 It was so **agreed**.

8 Submission co-signed by the Administrations of Bosnia and Herzegovina, Croatia (Republic of), North Macedonia (Republic of), Moldova (Republic of), Georgia, Rwanda, Serbia (Republic of) and South Sudan (Republic of) on the progress made in relation to their seven proposed new allotments (Document RRB23-3/12 and Addendum 2 to Document RRB 23-3/11))

8.1 **Mr Wang (Head, SSD/SNP)** drew attention to Addendum 2 to Document RRB23-3/11, in which the Bureau provided an updated report on the status of the requests for new allotments in the Appendix 30B Plan. In Table 1 of Addendum 2, the Bureau summarized the progress made since the publication of Part A of those requests for new allotments. The number of networks affected by the proposed new allotments had dropped thanks to the suppression of certain affected pending networks that had not brought their frequency assignments into use within the eight-year regulatory time-limit.

8.2 The Administration of Cyprus had agreed to the Bureau's proposal and modified its Part B submission for the CYP-30B-59.7E-3 satellite network, with the result that the maximum degradation of the aggregate *C/I* of the Croatian allotment had been reduced to less than 0.25 dB.

8.3 As indicated in Table 2, all seven administrations had recently filed Part B submissions under § 6.17 of Article 6 of Appendix **30B**. In the letters accompanying the submissions, the notifying administrations had made four requests to the Bureau. Two of those requests posed no problem for the Bureau but the other two were not covered by the provisions of Appendix 30B and were not in line with the Bureau's current practice. The Bureau sought the Board's guidance on how to treat those two requests.

8.4 A preliminary technical examination of the seven Part B submissions had revealed that certain allotments and/or assignments of other administrations continued to be affected. Table 3 in Addendum 2 summarized the coordination status of the seven submissions. He updated the total figures for communications sent and received between the administrations affected and the Article 7

administrations in the light of the new communications of which the Bureau had received a copy between the date of issue of Addendum 2 and 25 October 2023.

8.5 In Document RRB23-2/12, the seven administrations, supported by the Administration of Rwanda, reported on the effort and progress made in coordination between Article 7 administrations and the affected administrations, and set out the two requests for the Board's consideration that were not covered by the provisions of Appendix 30B, as follows:

(a) Not to update the reference situation of the affected networks for which a coordination agreement had been given;

(b) In case an allotment was still identified as affected, to include assignments of the proposed new allotment in the List without updating the reference situation of such allotment.

8.6 Annex 1 set out the four principles used as a basis for coordination of the new allotments.

8.7 In reply to a question from the **Chair**, he said that a further seven administrations still had no national allotment and that the Bureau had received no submissions from those administrations to that effect. His understanding was that the requests formulated in Document RRB23-3/12 applied only to submissions currently being processed; there was no suggestion that they should be applied to future submissions.

8.8 In reply to a question from **Ms Hasanova**, he said that almost all the coordination communications sent out had received positive replies, but on the conditions set out in Annex 1 to Document RRB23-3/12, namely that the Bureau did not update the reference situation and in some cases did not consider the downlink grid-point affected.

8.9 In reply to two comments from **Mr Henri**, he said that the Bureau had no detailed studies on the potential impact of requests (a) and (b) above but that it generally considered that not updating the reference situation of affected networks for which a coordination agreement existed would have no immediate impact on the two administrations concerned; it might, however, affect the subsequent network examination, as not updating the reference situation implied a higher reference value and therefore greater protection. Moreover, the proliferation of such non-updated reference situations might conceal compatibility issues that would appear when the two networks were brought into use and that had to be resolved before such bringing into use. As to the purpose of Annex 1 to Document RRB23-3/12, he said that the Article 7 administrations concerned had applied those principles to their analyses and based their coordination proposals on them.

8.10 In reply to a question from **Mr Talib** on how to encourage submissions from the seven other administrations with no national allotment in the Appendix 30B Plan, he said that, under Article 7, requests for a national allotment had to be submitted by the administrations concerned; the Bureau could inform such administrations of their right to an allotment but could not initiate the actual request. Until an administration submitted such a request and the test-point used to calculate the allotment beams and other characteristics, the Bureau could take no further action.

8.11 **Mr Di Crescenzo** and **Mr Talib** commended the seven co-signatory administrations for their efforts to obtain a national allotment in the Appendix 30B Plan and to start coordination procedures. **Mr Di Crescenzo** further commended the affected networks for replying quickly to the coordination requests. He noted that those requests were similar in nature to those made in the framework of Resolution **559 (WRC-19)**, implementation of which had been greatly furthered by the Board's decisions. The Bureau should continue to support those efforts with a view to the situation's finalization at WRC-23.

8.12 **Ms Beaumier** said that it was her understanding that the Board was being asked to endorse, not the coordination principles set out in Annex 1 to Document RRB23-3/12 (which were a matter of bilateral agreement between the parties) but requests (a) and (b) to the Bureau. Request (a) was

analogous to what the Board had agreed in the context of Resolution **559** submissions. The situation was less clear with regard to request (b), and she wondered whether it also implied that the reference situation would not be updated if a coordination agreement existed.

8.13 **Mr Wang (Head, SSD/SNP)** replied that, there were few cases for which the allotments of other administrations would be affected by proposed new allotments, In such cases, the Article 7 administrations had proposed that the affected administrations nevertheless agree to allow the new assignments to be entered in the List, on condition that the reference situation of affected allotments remained unchanged.

8.14 **Mr Cheng**, citing § 1.1 of Appendix 30B, said that the Board must do all in its power to help Member States obtain allotments under the Appendix 30B Plan. Regarding the four coordination principles set out in Annex 1 to Document RRB23-3/12, which had been accepted by CEPT, the Board should state that, while it considered those principles helpful for facilitating coordination and assisting the seven new Member States to obtain allotments, coordination was a bilateral affair and the administrations concerned were encouraged to abide by them. Regarding requests (a) and (b), he agreed that the Board had previously implemented a request along the lines of (a) in the context of implementation of Resolution **559 (WRC-19)** but considered that (b) presented inconsistencies with RR No. **6.25**. The Board did not have a mandate to consider such requests and should instead invite the administrations concerned to submit them to WRC-23.

8.15 **Mr Wang (Head, SSD/SNP)** pointed out that the current provisions of Appendix 30B did not treat allotments and assignments the same. For example, a provisional entry could be applied with respect to an affected frequency assignment but could not be applied with respect to an affected allotment.

8.16 **Mr Henri** said that the Board had to find a way forward with respect to allotments that continued to be notified as affected, given that it was not possible, under Appendix 30B, not to update the relevant reference situation (doing so might give an advantage to the seven co-signatory administrations with respect to any future requests and the Board had to take account of that possibility). One possible course of action was for the Board to instruct the Bureau to agree to the administrations' requests, to proceed with the relevant examinations, and to publish Part B in time for consideration by WRC-23, which it would inform of the results. An alternative was for the Board to instruct the Bureau temporarily to include the seven Part B submissions in the List and to report the case to WRC-23 for consideration. The fact that the submissions had been entered in the List would help the seven administrations obtain their national allotments at WRC-23. There was also a third possibility, namely that the Board take no action, apart from expressing sympathy with the administrations, in terms of processing the requests, which implied that it would not be helping to advance the process. In any case, the seven administrations could always submit their requests to WRC-23 for consideration.

8.17 **Ms Hasanova** agreed with the first approach outlined by Mr Henri; she did not support temporarily entering the frequency assignments in the List.

8.18 **Mr Wang (Head, SSD/SNP)** pointed out that, even if the Board agreed to request (a), on the grounds that it had accepted a similar solution in the context of Resolution **559 (WRC-19)**, some of the Part B submissions received by the Bureau would be given an unfavourable finding and returned.

8.19 **Mr Henri** said that it was his understanding that the seven administrations wanted to enter the Plan as soon as possible and therefore needed a decision from the Board before the conference; they wanted to ensure that WRC-23 admitted them to the Plan. It was also his understanding that the WRC-23 decision might mean that some Part B publications and special publications for allotments under Article 10 would be deferred until after the conference and that it would take into account many of the coordination issues raised by the administrations. The Board should not request the Bureau to

publish any Part B submission before or during the conference and should instead insist on a report. In that report, the Bureau must clearly state that it had considered the requests and concluded on the best way forward.

8.20 **Mr Vallet (Chief, SSD)**, noting that other administrations had to have enough time to read the Bureau's report, suggested that the report be based on the information on coordination status available to the Bureau on 30 October 2023 and that the conference be given any information received after that date in an oral update by the Bureau.

8.21 The **Chair** proposed that the Board conclude as follows on the matter:

"The Board carefully considered Document RRB23-3/12, in which the Administrations of Bosnia and Herzegovina, Croatia, North Macedonia, Moldova, Georgia, Rwanda, Serbia and South Sudan reported on the progress made in relation to their seven proposed new allotments; it also considered Addendum 2 to Document RRB23-3/11. The Board thanked:

- the Administration of Cyprus for having agreed to implement the measures proposed by the Bureau that resulted in reducing the maximum degradation of the aggregate *C/I* level of the proposed allotment of the Administration of Bosnia and Herzegovina to below 0.25 dB;
- those administrations that had given their agreement based on the four coordination principles as proposed in the Annex to Document RRB23-3/12 and encouraged those not yet having given their agreement to do so;
- the Bureau for its continued support to administrations making Article 7 requests.

The Board instructed the Bureau to:

- support the administrations in their coordination efforts;
- submit a report to WRC-23 to facilitate the decision process with the objective of including the proposed new allotments in the Appendix 30B Plan. The report would include the coordination status summaries for each Part B of the Article 7 requests and examination results based on the coordination status on 30 October 2023 and the following approaches:
  - examination in accordance with the provisions of the Radio Regulations;
  - examination in accordance with the provisions of the Radio Regulations without updating the reference situation;
  - examination in accordance with the criteria provided in Resolution **170 (WRC-19)** (with and without updating the reference situation);
- inform the administrations concerned that their allotments might potentially be affected by the Article 7 requests."

8.22 It was so **agreed**.

9 Preparation and arrangements for RA-23 and WRC-23

9.1 The Board discussed and **agreed** arrangements for RA-23 and WRC-23. It **decided** to have daily meetings during WRC-23, **assigned** members to follow different WRC-23 agenda items and **identified** spokespersons to present specific sections of the report under Resolution **80 (Rev.WRC-07)**. The Board also emphasized the role and standards of conduct required of Board members during a WRC.

9.2 The **Chair** and **Mr Fianko** thanked the Director and Ms Gozal for their guidance and assistance in helping Board members prepare for WRC-23.

10 Election of the Vice-Chair for 2024

10.1 Having regard to No. 144 of the ITU Convention, the Board **agreed** that Mr Y. Henri, Vice-Chair of the Board for 2023, would serve as its Chair in 2024.

10.2 The Board **agreed** to elect Mr A. Linhares de Souza Filho as its Vice-Chair for 2024 and thus as its Chair for 2025.

11 Confirmation of the next meeting for 2024 and indicative dates for future meetings

11.1 The Board **confirmed** the dates for the 95th meeting as 4–8 March 2024 (Room L).

11.2 The Board further tentatively confirmed the dates for its subsequent meetings in 2024, as follows:

- 96th meeting: 24–28 June 2024 (Room L);
- 97th meeting: 11–19 November 2024 (Room L);

in 2025, as follows:

- 98th meeting: 17–21 March 2025 (CCV Room Genève);
- 99th meeting: 14–18 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: 26–30 October 2026 (CCV Room Genève).

12 Other business

12.1 **Mr Botha (SDG)** urged Board members to submit any comments on the minutes in a timely manner so that the document could be made available to Member States as soon as possible.

12.2 Having been informed of the recent retirement of Mr Sakamoto, the Board **requested** the Director to convey on its behalf the Board's sincere appreciation for his many years of service with the Bureau and for the invaluable expertise and support provided to the Board over the years. The Board congratulated him on his well-deserved retirement and wished him well.

13 Approval of the summary of decisions

13.1 The Board **approved** the summary of decisions contained in Document RRB23-3/14.

14 Closure of the meeting

14.1 Board members took the floor to congratulate the Chair on his successful tenure. They praised his high level of preparation, calm and pleasant demeanour and good humour, which had facilitated discussions and enabled the Board to achieve excellent results throughout the year, including on difficult issues. They also thanked the Chair of the Working Group on the Rules of Procedure for his guidance on very sensitive issues, the Director for his valuable advice and guidance that was always delivered at the apposite moment, and the Bureau and other ITU staff for their assistance. They congratulated the incoming vice-chair and chairs of the Board and working group.

14.2 The **Director** congratulated the Chair on his successful handling of the Board's business throughout 2023 and the incoming chairs and vice-chair on their appointment. Thanking Board

members for their kind words, he said that the Bureau was always pleased to support the Board and was confident that it would discharge its important advisory role to the upcoming WRC with success. That event would be a challenge for all concerned, but he trusted that the results would be positive despite the current geopolitical situation.

14.3 The **Chair** thanked Board members for their goodwill, spirit of cooperation, hard work and professionalism during his tenure as Chair. He also thanked the Vice-Chair for his assistance, the chairs of the working groups for their efforts, the Director for his wise counsel, and the Bureau staff, including Mr Botha and Ms Gozal, for their support. He wished the incoming chair and vice-chair every success. He thanked the speakers for their kind words and wished all members a safe journey home. He closed the meeting at 1230 hours on Friday, 27 October 2023.

The Executive Secretary:	The Chair:
M. MANIEWICZ	E. AZZOUZ