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Working Party 8A

DRAFT NEW RECOMMENDATION ITU-R M.[DR.RCIRC]

Global cross-border circulation of radiocommunication equipment in emergency and disaster relief situations

The ITU Radiocommunication Assembly,

considering

- a) that public protection radiocommunication is radiocommunication used by responsible agencies and organizations dealing with maintenance of law and order, protection of life and property, and emergency situations;
- b) that disaster relief radiocommunication is radiocommunication used by agencies and organizations dealing with a serious disruption of the functioning of society, posing a significant, widespread threat to human life, health, property or the environment, whether caused by accident, nature or human activity, and whether developing suddenly or as the result of complex, long-term processes;
- c) that disaster relief operations have evolved over the years to make use of radiocommunication systems as a reliable and effective means of communication for the crucial success of the disaster relief operation;
- d) that many international disaster relief organizations utilize telecommunication networks for coordinating their efforts and for linking to authorities and affected persons when providing emergency care;
- e) that providers of international humanitarian assistance employ and depend on non-dedicated radiocommunication equipment which is widely in use and available, including amateur radio and mobile portable satellite facilities for their telecommunications during international disaster relief operations;
- f) that disaster relief users have operational requirements that may differ from other wireless users;
- g) that the importation and circulation of radiocommunication equipment is usually required when the local telecommunication infrastructure is damaged, overloaded or non-existent in the area of the disaster;

- h) that when an emergency or disaster occurs, the speed of the response is critical;
- j) that the efforts of emergency and disaster relief workers are often delayed by a number of factors which may include actions by some administrations that:
- restrict or prohibit the import and use of radiocommunication equipment;
 - have lengthy and/or costly immigration and customs procedures;
 - lack an expedient process for the authorization to operate radiocommunication equipment or for the permission to use radiocommunication equipment in border areas;
 - insist on the use of certain types of fixed frequency radios making it technically difficult to operate in changing situations,

noting

- a) that national and regional authorities should, when possible, and in conformity with their national laws, cooperate in order to reduce and remove any obstacles hindering global cross-border circulation of radiocommunication equipment intended for use in emergency and disaster relief situations, particularly to:
- develop agreements and regulations intended for use in emergency and disaster relief situations from all import, export and transit duties,

recognizing

- a) that WRC-2000 Resolution **645** invites ITU-R to conduct studies for development of a Resolution concerning the technical and operational bases for global cross-border circulation of radiocommunication equipment in emergency and disaster relief situations;
- b) that the World Customs Organization (WCO) has developed two international agreements which are applicable to radiocommunication equipment intended for disaster relief operations:
- the *Istanbul Convention*, which binds countries to eliminating customs duties on personal effects and professional equipment carried by visitors;
 - the *Professional Equipment Convention*, which has so far been adopted by about 40 countries, which exempts from customs duties equipment used by professionals, e.g. journalists, doctors, relief workers, businessmen, etc.;
- c) that the United Nations Office for the Coordination of Humanitarian Affairs (UN-OCHA) which has the mandate to coordinate international humanitarian assistance, disaster relief and disaster mitigation convenes the Working Group on Emergency Telecommunications (WGET), an inter-agency forum of entities concerned with humanitarian assistance;
- d) that WGET is following up on potential applications of Resolution **645 (WRC-2000)** to deal with regulatory issues, specifically regarding the trans-border use of telecommunication equipment during acute emergencies;
- e) that the Istanbul Declaration of WTDC-02 included among a number of pressing issues, the importance of emergency telecommunications;
- f) that the 1994 ITU Plenipotentiary Conference (Kyoto, 1994) adopted Resolution 36 which endorsed WTDC Resolution **7** and instructed ITU to take appropriate action;
- g) that the 1998 Intergovernmental Conference on Emergency Telecommunications (ICET-98), with the participation of 76 countries and various intergovernmental and non-governmental organizations, adopted the Tampere Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations. In 1998, 33 States signed this comprehensive Convention which also contains an article dealing with the removal of

regulatory barriers. Thirty ratifications or definitive signatures are needed by June 2003 for entry in force;

h) that the World Radiocommunication Conference (Istanbul, 2000), has revisited Resolution **644** which:

- urges administrations to take all practical steps to facilitate the rapid deployment and effective use of telecommunication resources for disaster mitigation and disaster relief operations by reducing and where possible removing regulatory barriers and strengthening trans-border cooperation between States;
- invites the ITU-R Sector to continue to study, as a matter of urgency, those aspects of radiocommunications that are relevant to disaster mitigation and relief operations;

j) that the Information Technology Agreement (ITA) of the World Trade Organization (WTO) aims at eliminating import duties on all information technology equipment including wireless terminals and equipment;

k) that administrative arrangements for circulation should be aimed at simplifying existing regulation;

l) that inter-administration measures facilitating cross-border use of radio equipment exist in some cases,

recommends

1 that, when discussing circulation of any radiocommunication equipment for emergency and disaster relief situations, present needs as well as future and advanced solutions should be taken into account;

2 that, in order to facilitate a speedy authorization process for the operation of radiocommunication equipment in emergency and disaster relief situations, the regulatory authorities have plans and rules in place before a possible disaster that:

- allow the operation of radiocommunication equipment by visiting personnel in the territory of the disaster/emergency;
- facilitate the use of radiocommunication equipment that such organizations employ;
- take into account the frequencies of the radiocommunication equipment that will be used by such organizations;

3 that, in order to establish the technical basis for global circulation of radiocommunication equipment in emergency and disaster relief situations, such equipment should fulfill the requirement for avoiding harmful interference in any country where they circulate:

- by conforming to ITU-R Recommendations, particularly with regard to emission limits.