**Report of the Agenda Item Coordinator during WRC-19**

Geetha Remy Vincent (geetha@measat.com)

Report Date: 18 November 2019

1. **Agenda Item 9.3 on action in response to Resolution 80 (Rev.WRC-07).**

Resolution **80** was first adopted by WRC-97 and revised by WRC-2000 and WRC-07. Each version of Resolution 80 has instructed the RRB either to develop Rules of Procedure, conduct studies, or consider and review possible draft recommendations related to linking the principles contained in No. 0.3 of the Preamble to the Radio Regulations to the notification, coordination and registration procedures in the RR and to report to a subsequent WRC. In the case of Resolution **80 (Rev.WRC-07)**, these linkages were extended to include the principles contained in Article 44 of the Constitution. The 2007 revision of this Resolution pointed out that some of the issues identified in the RRB report to WRC-2000 had been resolved before WRC‑07. Subsequent RRB reports to WRCs, although wide ranging and comprehensive have had little impact or consideration.

1. **APT Common Proposals and APT Views for WRC-19 (which has been submitted to WRC-19)**

APT Members support the ITU-R studies on this issue, in accordance with Resolution **80 (Rev.WRC-07)**.

APT Members are encouraged to consider the Radiocommunication Bureau Director’s Report to WRC-19 on any responses to Resolution **80 (Rev.WRC-07)** that may include the outcome of the Radio Regulations Board under Resolution **80 (Rev.WRC-07)**.

1. **Topics proposed by other regional Groups or ITU Members which are not included in no. 2 above**

See table below.

1. **Progress of discussion during WRC-19 on the Agenda Item**

FINAL REPORT

Consideration of RRB Report on Res 80(Rev.WRC-07) on the following topics is concluded and the table below captures the proposed text to be included in the Minutes of the Plenary.

| **Topic** | **Contribution by** | **Draft Report based on Consideration of the Meeting** |
| --- | --- | --- |
| Linkage between Bringing into Use and Notification for Recording in the MIFR | [**RRB**](https://www.itu.int/md/R16-WRC19-C-0015/en)([*15*](https://www.itu.int/md/R16-WRC19-C-0015/en)*)* | WRC-19 decided that, in cases where:  a) the information related to the bringing into use of frequency assignments in Appendices 30, 30A or 30B is submitted prior to the end of examination of Part B and notification submissions of these frequency assignments,  b) the requirements of Nos. 11.44 and 11.44B have been met for these frequency assignments prior to the end of examination of their Part B and notification submissions,  c) after the fulfilment of the requirements of No. 11.44B, the satellite has been relocated to another orbital location prior to the end of examination of the notification submission of these assignments,  d) the examination of the Part B submission of these assignments leads to the notice being returned to the notifying administration because of an inadvertent error of the notifying administration,  e) the notifying administration informs the Bureau that it is unable to fulfil the requirements of Nos. 11.44 and 11.44B at the time of resubmitting the Part B and notification information,  the Radio Regulations Board is mandated to consider, on a case-by-case basis, whether the fulfilment of the requirements of Nos. 11.44 and 11.44B prior to the end of examination of their Part B and notification submissions can be accepted as the bringing into use of the frequency assignments. |
| Situations of co-passenger delay | [**RRB**](https://www.itu.int/md/R16-WRC19-C-0015/en)([*15+C1*](https://www.itu.int/md/R16-WRC19-C-0015/en)*)* | In considering this section of the Report, WRC-19 decided that an administration shall provide the following information to the Board in support of a request for extension of regulatory deadlines due to co-passenger delay:  – a summary description of the satellite to be launched, including the frequency bands;  – the name of the manufacturer selected to build the satellite and the contract signature date;  – the status of the satellite construction, including the date it began and whether it was expected to be completed prior to the initial launch window;  – the name of the launch service provider and the contract signature date;  – the initial and revised launch window;  – sufficient detail to justify that the request for extension is due to co-passenger delay (e.g. a letter from the launch service provider indicating that the launch is delayed because of a delay affecting the co-passenger satellite);  – sufficient detail to justify the length of the requested extension period; and  – any other relevant information and documentation. |
| Compliance with the regulatory time limits for space stations using electric propulsion | **RRB** ([*15*](https://www.itu.int/md/R16-WRC19-C-0015/en)*)*  **US** *(*[*10(A23)*](https://www.itu.int/md/R16-WRC19-C-0010/en)*)* | WRC-19 decided to invite the ITU-R to study whether the use of electric propulsion satellite technology should be taken into account in the Radio Regulations for consideration at a future competent WRC.  When considering requests that qualify as force majeure or co-passenger delay, WRC-19 instructs the RRB to continue to take into account the use of electric propulsion on a case-by-case basis when deciding on the length of the extension, based on the merits of each individual case. |
| Requests from developing countries that do not qualify as force majeure or co‑passenger delay | **RRB** ([*15*](https://www.itu.int/md/R16-WRC19-C-0015/en)*)*  **CAN** *(*[*14(A23)*](https://www.itu.int/md/R16-WRC19-C-0014/en)*)* | WRC-19 invites the ITU-R to study the matter of requests for extensions of regulatory time limits from developing countries that do not qualify as force majeure or co‑passenger delay and to develop the specific criteria and conditions upon which the RRB could consider granting an extension of the regulatory deadline to a developing country. |
| Requests for a transfer or change of the “notifying administration” from one to the other | **RRB** ([*15*](https://www.itu.int/md/R16-WRC19-C-0015/en)*)*  **US** *(*[*10(A23)*](https://www.itu.int/md/R16-WRC19-C-0010/en)*)* | WRC-19 confirms the approach so far used by the Board for treating cases of the change of notifying administration acting on behalf of an intergovernmental satellite organization for a satellite network of that intergovernmental organization, to an administration which is a member of that organization acting on its own behalf. WRC-19 further decided that a letter from an appropriate responsible authority of this intergovernmental satellite organization is required to confirm their agreement with the change of notifying administration. In addition, WRC-19 decided that the Board shall deny a request to change:  – the notifying administration acting on behalf of an intergovernmental satellite organization for a satellite network of that intergovernmental organization, to an administration that is not a member of that organization,  – the notifying administration, acting on its own behalf, of a satellite network or system to another notifying administration acting on its own behalf, or  – the notifying administration acting on behalf of a group of named administrations which is not an intergovernmental satellite organization to another administration of that group |
| Interpretation of the definition of “satellite network” in RR No. 1.112 and RoP No. 1.112 | **RRB** ([*15*](https://www.itu.int/md/R16-WRC19-C-0015/en)*)*  **US** *(*[*10(A23)*](https://www.itu.int/md/R16-WRC19-C-0010/en)*)* | WRC-19 decided that the issue raised in this section of the Report could be addressed directly by WRC-19 under Agenda item 7 Issue H. |
| The application of RR No. 13.6 | **RRB** ([*15*](https://www.itu.int/md/R16-WRC19-C-0015/en)*)*  **US** *(*[*10(A23)*](https://www.itu.int/md/R16-WRC19-C-0010/en)*)*  **CAN** *(*[*14(A23)*](https://www.itu.int/md/R16-WRC19-C-0014/en)*)*  **Multi-Country** ([*42*](https://www.itu.int/md/R16-WRC19-C-0042/en)*)* (Cyprus (Republic of) / Greece) | WRC-19 discussed the issue of the application of No. 13.6. The issue requires further in-depth investigation. RRB will continue current practice with respect of full observance of the rights of Administrations. |
| Application of CS Article 48 | **RRB**  **US** *(*[*10(A23)*](https://www.itu.int/md/R16-WRC19-C-0010/en)*)*  **CAN**  **Multi-Country***(*[*78*](https://www.itu.int/md/R16-WRC19-C-0078/en)*)*  (Germany (Federal Republic of) / Austria / Brazil (Federative Republic of) / Cameroon (Republic of) / Djibouti (Republic of) / France / Luxembourg / Mali (Republic of) / Norway / Netherlands (Kingdom of the) / Portugal / Sweden / Switzerland (Confederation of) / Tunisia) | In accordance with WRC-19 agenda item 9.3, the Conference received Document 15 from the Radio Regulations Board entitled Report by the Radio Regulations Board on Resolution 80 (Rev.WRC-07). This report summarized RRB activity in relation to Resolution 80 (Rev.WRC-07), “Due Diligence in Applying the Principles Embodied in the Constitution.” In the Report to WRC‑19, the Board provided an update to the report to WRC-15 focusing on its efforts to address issues the Board and the Radiocommunications Bureau have faced since WRC-15 affecting fulfilment of the principles contained in Article 44 of the ITU Constitution (CS) and No. 0.3 of the Preamble to the Radio Regulations.  The Board report says, in part, the following: *“the Board considered concerns raised by some administrations regarding the appropriateness of other administrations’ application of Article 48 of the ITU Constitution. The alleged cases of non-compliance with CS Article 48 that were presented to the Board were summarized as follows:*   * *Administrations invoking CS Article 48 after the Bureau has launched an investigation under RR No. 13.6 as a means to prevent its application and retain rights in the Master International Frequency Register.* * *Administrations invoking CS Article 48 for frequency assignments that are not used for military purposes.”*   In response to the content of this Board Report, the Conference received several contributions from administrations that included various actions to be considered by the Conference to address the concerns raised by administrations, however it was understood that none of these various actions could be implemented without specific instruction from a Plenipotentiary Conference to a WRC to do so.  Taking into account the report of the Board on Resolution 80 (Rev.WRC-07), and the contributions and comments at WRC-19 associated with that Report, the WRC-19, in accordance with Article 21 of the ITU Convention, invites the 2022 Plenipotentiary Conference to consider the question of invocation of CS Article 48 in relation to the Radio Regulations raised at WRC-19 and take necessary actions, as appropriate.  In addition to this result, WRC-19 instructed the Bureau to continue their current practice of responding to specific requests from administrations related to the status of individual satellite networks, including an indication of whether CS Article 48 has been invoked for a satellite network. |

1. **Issues which require discussion at APT Coordination Meetings and seek guidance thereafter**

None.