

Ukraine

Objectives and supporting information on Ukraine's proposal UKR/84/1 (document 84 rev.1) on Draft New Resolution [UKR-1] "Assistance and support to Ukraine for guaranteeing the use of frequency and numbering resources in the territories of the Autonomous Republic of Crimea and the city of Sevastopol"

The main objectives of UKR/84/1 proposal:

- to ensure an execution of the UN General Assembly Resolution 68/262 by the ITU as the UN specialized agency for telecommunications;
- to take measures against violation of the ITU Constitution and Administrative Regulations;
- to take measures for ensuring the aviation safety;
- to ensure that the ITU Membership takes due account of and safeguards the rights of Ukraine in all matters of allocation, allotment, assignment, coordination and registration of frequency resource as regards the territories of the Autonomous Republic of Crimea and the city of Sevastopol;
- to call upon ITU Member States to continue the availability of international telecommunication service to the public of the Autonomous Republic of Crimea and the city of Sevastopol by using the code of Ukraine on an international level.

1. Execution of the UN General Assembly Resolution 68/262

UKR/84/1 proposal in document 84 rev.1 is based on the UN General Assembly (UNGA) Resolution 68/262 "Territorial integrity of Ukraine" on 27 March 2014 (http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/68/262). This Resolution affirms the commitment of the UN to the sovereignty, political independence, unity and territorial integrity of Ukraine within its internationally recognized borders.

The ITU as the UN specialized agency for telecommunications has a clear request from the UN General Assembly under item 6 of the Resolution 68/262. In particular, the UN specialized agencies are called upon "not to recognize any alteration of the status of the Autonomous Republic of Crimea and the city of Sevastopol" and "to refrain from any action or dealing that might be interpreted as recognizing any such altered status".

It is proposed to note the decisions of other UN specialized agencies, which have already been taken in line with the UNGA Resolution 68/262:

- ICAO letter No. EUR/NAT14-0243.TEC(FOL/CUP) dated 02.04.2014 (<http://www.ibac.org/wp-content/uploads/2010/06/14-0243-Safety-of-civil-aircraft-in-Simferopol-FIR.pdf>),

- UNESCO Executive Board's 194 EX/Decision 32, on the follow-up by UNESCO of the Situation in the Autonomous Republic of Crimea (Ukraine)
(<http://unesdoc.unesco.org/images/0022/002274/227488e.pdf>)

The ITU is called upon to adopt the new Resolution of the PP-14 recalling the terms of UNGA Resolution 68/262. This new Resolution will allow the ITU Membership to avoid the possible further consideration of various technical problems of using the frequency and numbering resources in the territories of the Autonomous Republic of Crimea and the city of Sevastopol during the subsequent ITU conferences and meetings (PP, WRC, WTSA, Council, RRB etc).

2. Measures against violation of the ITU Constitution and Administrative Regulations

On 22.04.2014 the Permanent Mission of Ukraine to the United Nations Office and other International Organizations in Geneva sent the Note №2 to the ITU in order to inform about illegal use of “frequencies allocated to Ukraine according to the frequencies plans of Regional Agreements “GE75”, “GE84”, “GE06”, “ST61” and Master International Register” and requested the ITU “to take all necessary measures to stop illegal actions by the Russian Federation and ensure observance of the abovementioned documents and all relevant international norms”.

Having informed the ITU Secretary-General that “actions of the Russian Federation, that deprived Ukraine of possibility to use its registered frequencies, are brutal violations of the international and Ukrainian legislation and the rights of Ukraine as a Member of the International Telecommunication Union”, the Administration of Ukraine asked the ITU “to address to the Russian Federation Administration about the inadmissibility of the actions that violate the provisions of international agreements between the ITU Member States” (letter of the State Service of Special Communication and Information Protection of Ukraine №01/03/01-1090 of 23.04.2014).

There are a number of facts confirming the violation by the Russian Federation of rules of the international law, stipulated by the ITU Basic Texts (list below is not exhaustive):

- the Federal Service For Supervision of Communications, Information Technology, and Mass Media of the Russian Federation published information about a number of licenses, issued to 3 state enterprises of the illegitimate and self-proclaimed authorities of Crimea, and the Russian telecommunication companies and private entrepreneurs for provision of services in the territories of the Autonomous Republic of Crimea and the city of Sevastopol, including international and local telephony, mobile communication, data transmission, communication channels provision, telematics and cable broadcasting;
- the Ministry of Communications and Mass Media of the Russian Federation published the Order No 84 dated 18th of April 2014 of on allocation of numbering area codes for fixed and mobile telecommunication networks in the territories of the Autonomous Republic of Crimea and the city of Sevastopol under the Russian country code “+7”;
- the Ministry of Communications and Mass Media of the Russian Federation and the Federal State Unitary Enterprise “Russian television and sound broadcasting network” informed about the use of 18 sites and frequency resource for 3 multiplexes for digital television broadcasting in the territories of the Autonomous Republic of Crimea and the city of Sevastopol;

- the frequency assignments of Ukraine, published by the ITU Radiocommunication Bureau in full compliance with the Radio Regulations and Regional Agreement “Geneva-06”, are officially objected by the Ministry of Communications and Mass Media of the Russian Federation, which states that these frequency assignments are published in the territories entered into the composition of the Russian Federation;
- in April 2014 the Ukrainian State Air Traffic Services Enterprise of the Ministry of Infrastructure of Ukraine officially informed the International Civil Aviation Organization (ICAO) about the cases, when the Russian Federation committed unlawful seizure of radio frequency spectrum that belongs to Ukraine, misuse of 121.5 MHz emergency frequency and unauthorized use by the third parties of the operational radio frequencies used at Odesa and Dnipropetrovsk Air Control Centres. Accordingly, the ICAO officially addressed the appropriate State Authorities of aircraft operators and confirmed that the Simferopol flight information region was under the responsibility of Ukraine and drew attention of the States concerned to the possible existence of serious risks to the safety of international civil flights due to the unsafe situation where more than one air traffic service provider might be controlling flights within the same airspace;
- the national telecommunication operator “Ukrtelecom” informed that on 25.09.2014 the unidentified assailants seized its premises and telecommunication equipment in the city of Sevastopol. As a result of this illegal action, arranged by the illegitimate and self-proclaimed authorities of the city of Sevastopol, “Ukrtelecom” has been deprived of any control of its telecommunication network and assets in Sevastopol and work of the operator in that city has been fully blocked and consequently shut down.
- the Russian telecommunications operator "Sevtelekom" now provides termination of telecommunication traffic coming from the city of Sevastopol by operating the captured equipment of “Ukrtelecom” and using the Russian international code “+ 7-869-“ that is disguised as international.

The ITU is encouraged to take special action to address the Russian Federation Administration about the inadmissibility of the actions that violate the provisions of ITU Basic Texts and incompatible with provisions of the UNGA Resolution 68/262, in particular:

- ***fundamental principles set forth in the Preamble to the Constitution, Preamble to the International Telecommunication Regulations, Preamble to the Radio Regulations;***
- ***Nos 31, 37, 38, 196, 197 and 198 of the Constitution;***
- ***Nos 8.1, 8.3 and 11.2 – 11.8 of the Radio Regulations;***
- ***No 9 of the International Telecommunications Regulations (Melbourne, 1988).***

(Full texts of the above mentioned provisions are given in Annex 1)

Taking into account that the International Telecommunications Regulations (Dubai, 2012) shall enter into force on 1 January 2015, and shall be applied as of that date, consistent with all the provisions of Article 54 of the Constitution, the ITU may take special action to address the Russian Federation Administration about the inadmissibility of the actions that are in contravention of Nos 9, 31, 36 – 40 and 49 of the International Telecommunications Regulations (Dubai, 2012) and incompatible with provisions of the UNGA Resolution 68/262.

3. Measures for ensuring the aviation safety

The provisions of No. 17 of the ITU Constitution stipulate that the Union is to promote the adoption of measures for ensuring the safety of life through the cooperation of telecommunication services. Having recalled these provisions, this Plenipotentiary Conference has already approved the Resolution COM5/1 “Global flight tracking for civil aviation”, which considers the reporting of information to air traffic control centres (ACC) as one of important elements of aviation safety and security.

The ITU is encouraged to take action to prevent the cases, when the Russian Federation:

- ***illegally uses radio frequency spectrum to provide air traffic services within airspace of the Simferopol flight information region (FIR), which is under the responsibility of Ukraine as officially confirmed by the International Civil Aviation Organization (ICAO) and the European Aviation Safety Agency (EASA),***
- ***misuses within airspace of the Simferopol FIR the frequency 121.5 MHz, which is the aeronautical emergency frequency in the band 117.975-137 MHz in accordance with footnote 5.200 to the Table of Frequency Allocations in Article 5 of the Radio Regulations,***
- ***uses without authority the operational radio frequencies of Odesa and Dnipropetrovsk ACCs of Ukraine.***

The above cases were officially reported to the ICAO by the Ukrainian State Air Traffic Services Enterprise (UkSATSE) of the Ministry of Infrastructure of Ukraine. The ICAO and EASA drew attention of the States concerned and aviation communities to the possible existence of serious risks to the safety of international civil flights due to the unsafe situation where more than one air traffic service provider might be controlling flights within the same airspace from 3 April 2014, 0600 UTC onwards.

References:

- ICAO letter No. EUR/NAT14-0243.TEC(FOL/CUP) dated 02.04.2014 (<http://www.ibac.org/wp-content/uploads/2010/06/14-0243-Safety-of-civil-aircraft-in-Simferopol-FIR.pdf>)
- EASA Safety Information Bulletin (<http://ad.easa.europa.eu/ad/2014-10>)
- UkSATSE Press Releases (<http://uksatse.ua/index.php?act=Part&CODE=247&id=264&lang=en> and <http://uksatse.ua/index.php?s=df6d827d06832fa8d5fd03624b3437d3&act=Part&CODE=247&id=265&lang=en>)

4. Measures for avoiding the challenges to performing the allocation, allotment, assignment, coordination and registration of radio frequency resource as regards the territories of the Autonomous Republic of Crimea and the city of Sevastopol

According to No 11 of Article 1 “Purposes of the Union” of the ITU Constitution, the Union shall “effect allocation of bands of the radio-frequency spectrum, the allotment of radio frequencies and the registration of radio-frequency assignments and, for space services, of any associated orbital position in the geostationary-satellite orbit or of any associated characteristics of satellites in other orbits, in order to avoid harmful interference between radio stations of different countries”.

4.1 Aspects of allocation of frequency bands

According to the Resolution 26 (Rev.WRC-07) “Footnotes to the Table of Frequency Allocations in Article 5 of the Radio Regulations” the “footnotes are an integral part of the Table of Frequency Allocations in the Radio Regulations and, as such, form part of an international treaty text”. The

footnotes allow the altering, limiting or otherwise changing the relevant allocations in the Table of Frequency Allocations.

At present the Table of Frequency Allocations in Article 5 of the Radio Regulations contains 41 country footnotes of Ukraine and 51 country footnotes of the Russian Federation, among which 20 footnotes have either the name of Ukraine or the name of the Russian Federation:

Country footnotes, having the name of Ukraine and not having the name of the Russian Federation	5.161B, 5.422, 5.430A, 5.450, 5.478,	5
Country footnotes, having the name of the Russian Federation and not having the name of Ukraine	5.54B, 5.55, 5.56, 5.58, 5.77, 5.80B, 5.162A, 5.290, 5.331, 5.454, 5.459, 5.537A, 5.543A, 5.546, 5.550,	15

(Full texts of the abovementioned footnotes are given in Annex 2)

An adoption of the new resolution by the PP-14, as proposed by document 84 rev.1, will allow the WRC-15 and the ITU Member States to avoid the problem of unlawful and inadmissible alteration of the frequency allocation in the temporarily occupied Ukrainian territories of the Autonomous Republic of Crimea and the city of Sevastopol, that is incompatible with provisions of the UNGA Resolution 68/262.

4.2 Frequency allotment aspects

As the Contracting Member of the Regional Agreement relating to the planning of the digital terrestrial broadcasting service in Region 1 (parts of Region 1 situated to the west of meridian 170° E and to the north of parallel 40° S, except the territory of Mongolia) and in the Islamic Republic of Iran, in the frequency bands 174-230 MHz and 470-862 MHz (Geneva, 2006), hereinafter referred to as GE06 Agreement, Ukraine has 68 DVB-T allotment areas in GE06 Digital Plan, which cover the territories of the Autonomous Republic of Crimea and the city of Sevastopol.

According to No 2.2 of the GE06 Agreement, the Contracting Members shall not modify the characteristics specified in the Plans for their broadcasting stations or establish stations, except under the relevant provisions of Articles 4 and 5 of the GE06 Agreement. Because of better radiowave propagation over warm seas, the frequency allotments of Ukraine in GE06 Digital Plan, which cover the territories of the Autonomous Republic of Crimea and the city of Sevastopol, are considered to be affected in most cases of application of coordination procedure contained in Article 4 of GE06 Agreement for changing the characteristics of an allotment or adding to the Plans an allotment within the Black Sea region.

Taking into consideration Ukraine's DVB-T allotments in GE06 Digital Plan, which cover the territories of the Autonomous Republic of Crimea and the city of Sevastopol, the activity of the ITU and Member States concerned may be required in order to implement the digital switchover in the Black Sea region and allocate bandwidth freed up by the transition to digital television – the so-called 'digital dividend' – to the mobile service. The importance of this issue is confirmed by activity of the ITU that was completed to assist the 48 Sub-Sahara African ITU Member States and has been taken to assist to the ASMG ITU Member States in coordinating the necessary modifications to the GE06 Digital Plan.

An adoption of the new resolution by the PP-14, as proposed by document 84 rev.1, will allow the ITU and Member States to avoid the problem of unlawful and inadmissible alteration of the frequency allotments of Ukraine in GE06 Digital Plan covering the territories of the Autonomous Republic of Crimea and the city of Sevastopol, as called upon by the UNGA Resolution 68/262.

4.3 Aspects of frequency assignment, coordination and registration

In the territories of the Autonomous Republic of Crimea and the city of Sevastopol, at present, the ITU has registered more than 2100 frequency assignments of Ukraine in MIFR and different frequency plans/lists (Ge06A, Ge06D, Ge06L, Ge85M, Ge85N, Ge84, Ge75, St61) providing the right to international recognition for aeronautical radionavigation land and mobile stations, maritime radionavigation land stations, coast stations in the maritime mobile service, aeronautical stations in the aeronautical mobile (R, OR) service, sound and television broadcasting stations, fixed and land mobile stations and others.

Referring to the provisions of the Resolution 1 (Rev. WRC-97) and the UNGA Resolution 68/262, the PP-14 is called upon to affirm that any notification of a frequency assignment to a station located on the territories of the Autonomous Republic of Crimea and the city of Sevastopol shall be made by the Administration of Ukraine.

The special action of the Director of the ITU Radiocommunication Bureau is requested with respect to objections of the Russian Federation Administration to coordination and registration of frequency assignments of Ukraine to stations located on the territories of the Autonomous Republic of Crimea and the city of Sevastopol, taking into account that reasons for these objections are incompatible with provisions of the UNGA Resolution 68/262.

Having successfully implemented the DVB-T network all across the country in accordance with GE06 Agreement, and having continued operation of the existing analogue TV stations in accordance with revised Stockholm 1961 Agreement and GE06 Agreement in the transition period, at present, Ukraine has the right to international recognition for its frequency assignments, which are registered by the ITU/BR and cover the territories of the Autonomous Republic of Crimea and the city of Sevastopol:

- 74 DVB-T frequency assignments in GE06D Plan,
- 72 DVB-T frequency assignments in MIFR,
- 46 analogue TV frequency assignments in GE06A Plan,
- 4 analogue TV frequency assignments in ST61 Plan,
- 48 analogue TV frequency assignments in MIFR.

Taking into account the obligations of Ukraine, as the Contracting Member of the GE06 Agreement, in respect of the completion of transition from analogue to digital television broadcasting till 17 June 2015, the PP-14 is called upon to recognize that in the territories of the Autonomous Republic of Crimea and the city of Sevastopol, under the present conditions, Ukraine will not have a possibility to ensure the completion of the abovementioned transition.

5. Measures for continuation of the availability of international telecommunication service to the public of the Autonomous Republic of Crimea and the city of Sevastopol by using the code of Ukraine on an international level

Now the Russian telecommunications operator "Sevtelekom" provides termination of telecommunication traffic coming from the city of Sevastopol by operating the illegally captured

equipment of “Ukrtelecom” and using the Russian international code “ + 7-869-“ that is disguised as international. There is a situation of traffic routing from the temporarily occupied territory of the Autonomous Republic of Crimea with use of international code of Ukraine “+380” and international code of the Russian Federation “+7”.

According to provisions of Article 35 of the ITU Constitution and Article 7 of the International Telecommunication Regulations, Ukraine reserves the right to suspend the international telecommunication service partially or totally in the territories of the Autonomous Republic of Crimea and the city of Sevastopol.

An adoption of the new resolution by the PP-14, as proposed by document 84 rev.1, is expedient to call upon all telecommunication operators in their countries to continue the traffic routing in the Autonomous Republic of Crimea and the city of Sevastopol in accordance with the relevant ITU-T Recommendations and numbering assignments made there under, and with due regard for provisions of the UNGA Resolution 68/262.

The special action of the Director of the ITU Telecommunication Standardization Bureau is requested to prevent any ITU publication on numbering resource assignments that might be incompatible with provisions of the UNGA Resolution 68/262.

Information on provisions of the ITU Basic Texts, which are related to Document 84 rev.1 and considered as violated by the Russian Federation

Violation of the fundamental principles set forth in the Preamble to the Constitution and the Preamble to the International Telecommunication Regulations in respect of full recognition of “sovereign right of each State to regulate its telecommunication”.

Violation of No 31 of the Constitution: *“The provisions of both this Constitution and the Convention are further complemented by those of the Administrative Regulations, enumerated below, which regulate the use of telecommunications and shall be binding on all Member States:*

- *International Telecommunication Regulations,*
- *Radio Regulations”.*

Violation of Nos 37 and 38 of the Constitution: *“1 The Member States are bound to abide by the provisions of this Constitution, the Convention and the Administrative Regulations in all telecommunication offices and stations established or operated by them which engage in international services or which are capable of causing harmful interference to radio services of other countries, except in regard to services exempted from these obligations in accordance with the provisions of Article 48 of this Constitution.*

2 The Member States are also bound to take the necessary steps to impose the observance of the provisions of this Constitution, the Convention and the Administrative Regulations upon operating agencies authorized by them to establish and operate telecommunications and which engage in international services or which operate stations capable of causing harmful interference to the radio services of other countries”.

Violation of No 196 of the Constitution: *“In using frequency bands for radio services, Member States shall bear in mind that radio frequencies and any associated orbits, including the geostationary-satellite orbit, are limited natural resources and that they must be used rationally, efficiently and economically, in conformity with the provisions of the Radio Regulations, so that countries or groups of countries may have equitable access to those orbits and frequencies, taking into account the special needs of the developing countries and the geographical situation of particular countries”.*

Violation of Nos 197 and 198 of the Constitution: *“1 All stations, whatever their purpose, must be established and operated in such a manner as not to cause harmful interference to the radio services or communications of other Member States or of recognized operating agencies, or of other duly authorized operating agencies which carry on a radio service, and which operate in accordance with the provisions of the Radio Regulations.*

2 Each Member State undertakes to require the operating agencies which it recognizes and the other operating agencies duly authorized for this purpose to observe the provisions of No. 197 above”).

Violation of Nos 8.1 and 8.3 of the Radio Regulations: *“The international rights and obligations of administrations in respect of their own and other administrations’ frequency assignments shall be derived from the recording of those assignments in the Master International Frequency Register (the Master Register) or from their conformity, where appropriate, with a plan. Such rights shall be conditioned by the provisions of these Regulations and those of any relevant frequency allotment or assignment plan.*

Any frequency assignment recorded in the Master Register with a favourable finding under No. 11.31 shall have the right to international recognition. For such an assignment, this right means that other administrations shall take it into account when making their own assignments, in order to avoid harmful interference. In addition, frequency assignments in frequency bands subject to coordination or to a plan shall have a status derived from the application of the procedures relating to the coordination or associated with the plan”.

Violation of Nos 11.2 – 11.8 of the Radio Regulations: *“Any frequency assignment to a transmitting station and to its associated receiving stations except for those mentioned in Nos. 11.13 and 11.14 shall be notified to the Bureau:*

- a) if the use of that assignment is capable of causing harmful interference to any service of another administration; or*
- b) if that assignment is to be used for international radiocommunication; or*
- c) if that assignment is subject to a world or regional frequency allotment or assignment plan which does not have its own notification procedure; or*
- d) if that assignment is subject to the coordination procedure of Article 9 or is involved in such a case; or*
- e) if it is desired to obtain international recognition for that assignment; or*
- f) if it is a non-conforming assignment under No. 8.4 and if the administration wishes to have it recorded for information”.*

Violation of No 9 of the International Telecommunications Regulations (Melbourne, 1988) and in contravention of No 9 of the International Telecommunications Regulations (Dubai, 2012), which shall enter into force on 1 January 2015, and shall be applied as of that date, consistent with all the provisions of Article 54 of the Constitution: *“These Regulations recognize the right of any Member State, subject to national law and should it decide to do so, to require that authorized operating agencies which operate in its territory and provide an international telecommunication service to the public be authorized by that Member State”.*

In contravention of No 31 of the International Telecommunications Regulations (Dubai, 2012), which shall enter into force on 1 January 2015, and shall be applied as of that date, consistent with all the provisions of Article 54 of the Constitution: *“Member States shall endeavour to ensure that international telecommunication numbering resources specified in ITU-T Recommendations are used only by the assignees and only for the purposes for which they were assigned; and that unassigned resources are not used”.*

In contravention of Nos 36 - 40 of the International Telecommunications Regulations (Dubai, 2012), which shall enter into force on 1 January 2015, and shall be applied as of that date, consistent with all the provisions of Article 54 of the Constitution: *“Subject to national law, Member States shall endeavour to ensure that authorized operating agencies provide and maintain, to the greatest extent practicable, a satisfactory quality of service corresponding to the relevant ITU-T Recommendations with respect to:*

- a) access to the international network by users using terminals which are permitted to be connected to the network and which do not cause harm to technical facilities and personnel;*
- b) international telecommunication facilities and services available to users for their dedicated use;*
- c) at least a form of telecommunication service which is reasonably accessible to the public, including those who may not be subscribers to a specific telecommunication service; and*

d) a capability for interworking between different services, as appropriate, to facilitate international telecommunication services”.

In contravention of No 49 of the International Telecommunications Regulations (Dubai, 2012), which shall enter into force on 1 January 2015, and shall be applied as of that date, consistent with all the provisions of Article 54 of the Constitution: “Member States shall individually and collectively endeavour to ensure the security and robustness of international telecommunication networks in order to achieve effective use thereof and avoidance of technical harm thereto, as well as the harmonious development of international telecommunication services offered to the public”.

List of country footnotes to the Table of Frequency Allocations in Article 5 of the Radio Regulations, having the name of Ukraine and the name of the Russian Federation and related to Document 84 rev.1

5.54B Additional allocation: in Algeria, Saudi Arabia, Egypt, the United Arab Emirates, the Russian Federation, Iraq, Lebanon, Morocco, Qatar, the Syrian Arab Republic, Sudan and Tunisia, the frequency band 8.3-9 kHz is also allocated to the radionavigation, fixed and mobile services on a primary basis. **(WRC 2012)**

5.55 Additional allocation: in Armenia, Azerbaijan, the Russian Federation, Georgia, Kyrgyzstan, Tajikistan and Turkmenistan, the band 14-17 kHz is also allocated to the radionavigation service on a primary basis. **(WRC 2007)**

5.56 The stations of services to which the bands 14-19.95 kHz and 20.05-70 kHz and in Region 1 also the bands 72-84 kHz and 86-90 kHz are allocated may transmit standard frequency and time signals. Such stations shall be afforded protection from harmful interference. In Armenia, Azerbaijan, Belarus, the Russian Federation, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan and Turkmenistan, the frequencies 25 kHz and 50 kHz will be used for this purpose under the same conditions. **(WRC 2012)**

5.58 Additional allocation: in Armenia, Azerbaijan, the Russian Federation, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan and Turkmenistan, the band 67-70 kHz is also allocated to the radionavigation service on a primary basis. **(WRC 2000)**

5.77 Different category of service: in Australia, China, the French overseas communities of Region 3, Korea (Rep. of), India, Iran (Islamic Republic of), Japan, Pakistan, Papua New Guinea and Sri Lanka, the allocation of the frequency band 415-495 kHz to the aeronautical radionavigation service is on a primary basis. In Armenia, Azerbaijan, Belarus, the Russian Federation, Kazakhstan, Latvia, Uzbekistan and Kyrgyzstan, the allocation of the frequency band 435-495 kHz to the aeronautical radionavigation service is on a primary basis. Administrations in all the aforementioned countries shall take all practical steps necessary to ensure that aeronautical radionavigation stations in the frequency band 435-495 kHz do not cause interference to reception by coast stations of transmissions from ship stations on frequencies designated for ship stations on a worldwide basis. **(WRC 2012)**

5.80B The use of the frequency band 472-479 kHz in Algeria, Saudi Arabia, Azerbaijan, Bahrain, Belarus, China, Comoros, Djibouti, Egypt, United Arab Emirates, the Russian Federation, Iraq, Jordan, Kazakhstan, Kuwait, Lebanon, Libya, Mauritania, Oman, Uzbekistan, Qatar, Syrian Arab Republic, Kyrgyzstan, Somalia, Sudan, Tunisia and Yemen is limited to the maritime mobile and aeronautical radionavigation services. The amateur service shall not be used in the above-mentioned countries in this frequency band, and this should be taken into account by the countries authorizing such use. **(WRC 2012)**

5.161B Alternative allocation: in Albania, Germany, Armenia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Cyprus, Vatican, Croatia, Denmark, Spain, Estonia, Finland, France, Greece, Hungary, Ireland, Iceland, Italy, Latvia, The Former Yugoslav Rep. of Macedonia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Monaco, Montenegro, Norway, Uzbekistan, Netherlands, Poland, Portugal, Kyrgyzstan, Slovakia, Czech Rep., Romania, United Kingdom, San Marino, Slovenia, Sweden, Switzerland, Turkey and Ukraine, the frequency band 42-42.5 MHz is allocated to the fixed and mobile services on a primary basis. **(WRC 2012)**

5.162A Additional allocation: in Germany, Austria, Belgium, Bosnia and Herzegovina, China, Vatican, Denmark, Spain, Estonia, the Russian Federation, Finland, France, Ireland, Iceland, Italy, Latvia, The Former Yugoslav Republic of Macedonia, Liechtenstein, Lithuania, Luxembourg, Monaco, Montenegro, Norway, the Netherlands, Poland, Portugal, the Czech Rep., the United

Kingdom, Serbia, Slovenia, Sweden and Switzerland the band 46-68 MHz is also allocated to the radiolocation service on a secondary basis. This use is limited to the operation of wind profiler radars in accordance with Resolution 217 (WRC 97). **(WRC 2012)**

5.290 Different category of service: in Afghanistan, Azerbaijan, Belarus, China, the Russian Federation, Japan, Kyrgyzstan, Tajikistan and Turkmenistan, the allocation of the band 460-470 MHz to the meteorological-satellite service (space-to-Earth) is on a primary basis (see No. 5.33), subject to agreement obtained under No. 9.21. **(WRC 2012)**

5.331 Additional allocation: in Algeria, Germany, Saudi Arabia, Australia, Austria, Bahrain, Belarus, Belgium, Benin, Bosnia and Herzegovina, Brazil, Burkina Faso, Burundi, Cameroon, China, Korea (Rep. of), Croatia, Denmark, Egypt, the United Arab Emirates, Estonia, the Russian Federation, Finland, France, Ghana, Greece, Guinea, Equatorial Guinea, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Jordan, Kenya, Kuwait, The Former Yugoslav Republic of Macedonia, Lesotho, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Madagascar, Mali, Mauritania, Montenegro, Nigeria, Norway, Oman, Pakistan, the Netherlands, Poland, Portugal, Qatar, the Syrian Arab Republic, Dem. People's Rep. of Korea, Slovakia, the United Kingdom, Serbia, Slovenia, Somalia, Sudan, South Sudan, Sri Lanka, South Africa, Sweden, Switzerland, Thailand, Togo, Turkey, Venezuela and Viet Nam, the band 1 215-1 300 MHz is also allocated to the radionavigation service on a primary basis. In Canada and the United States, the band 1 240-1 300 MHz is also allocated to the radionavigation service, and use of the radionavigation service shall be limited to the aeronautical radionavigation service. **(WRC 2012)**

5.422 Additional allocation: in Saudi Arabia, Armenia, Azerbaijan, Bahrain, Belarus, Brunei Darussalam, Congo (Rep. of the), Côte d'Ivoire, Cuba, Djibouti, Egypt, the United Arab Emirates, Eritrea, Ethiopia, Gabon, Georgia, Guinea, Guinea-Bissau, Iran (Islamic Republic of), Iraq, Israel, Jordan, Kuwait, Lebanon, Mauritania, Mongolia, Montenegro, Nigeria, Oman, Pakistan, the Philippines, Qatar, Syrian Arab Republic, Kyrgyzstan, the Dem. Rep. of the Congo, Romania, Somalia, Tajikistan, Tunisia, Turkmenistan, Ukraine and Yemen, the band 2 690-2 700 MHz is also allocated to the fixed and mobile, except aeronautical mobile, services on a primary basis. Such use is limited to equipment in operation by 1 January 1985. **(WRC 2012)**

5.430A Different category of service: in Albania, Algeria, Germany, Andorra, Saudi Arabia, Austria, Azerbaijan, Bahrain, Belgium, Benin, Bosnia and Herzegovina, Botswana, Bulgaria, Burkina Faso, Cameroon, Cyprus, Vatican, Congo (Rep. of the), Côte d'Ivoire, Croatia, Denmark, Egypt, Spain, Estonia, Finland, France and French overseas departments and communities in Region 1, Gabon, Georgia, Greece, Guinea, Hungary, Ireland, Iceland, Israel, Italy, Jordan, Kuwait, Lesotho, Latvia, The Former Yugoslav Republic of Macedonia, Liechtenstein, Lithuania, Malawi, Mali, Malta, Morocco, Mauritania, Moldova, Monaco, Mongolia, Montenegro, Mozambique, Namibia, Niger, Norway, Oman, Netherlands, Poland, Portugal, Qatar, the Syrian Arab Republic, the Dem. Rep. of the Congo, Slovakia, Czech Rep., Romania, United Kingdom, San Marino, Senegal, Serbia, Sierra Leone, Slovenia, South Africa, Sweden, Switzerland, Swaziland, Chad, Togo, Tunisia, Turkey, Ukraine, Zambia and Zimbabwe, the band 3 400-3 600 MHz is allocated to the mobile, except aeronautical mobile, service on a primary basis subject to agreement obtained under No. 9.21 with other administrations and is identified for International Mobile Telecommunications (IMT). This identification does not preclude the use of this band by any application of the services to which it is allocated and does not establish priority in the Radio Regulations. At the stage of coordination the provisions of Nos. 9.17 and 9.18 also apply. Before an administration brings into use a (base or mobile) station of the mobile service in this band, it shall ensure that the power flux-density (pfd) produced at 3 m above ground does not exceed $-154.5 \text{ dB(W)/(m}^2 \times 4 \text{ kHz)}$ for more than 20% of time at the border of the territory of any other administration. This limit may be exceeded on the territory of any country whose administration has so agreed. In order to ensure that the pfd limit at the border of the territory of any other administration is met, the calculations and verification shall be made, taking into account all relevant information, with the mutual agreement of both administrations (the administration responsible for the terrestrial station and the administration responsible for the earth station), with the assistance of the Bureau if so requested. In case of disagreement, the calculation and verification of the pfd shall be made by the Bureau, taking into account the

information referred to above. Stations of the mobile service in the band 3 400-3 600 MHz shall not claim more protection from space stations than that provided in Table 21 4 of the Radio Regulations (Edition of 2004). This allocation is effective from 17 November 2010. **(WRC 2012)**

5.450 Additional allocation: in Austria, Azerbaijan, Iran (Islamic Republic of), Kyrgyzstan, Romania, Turkmenistan and Ukraine, the band 5 470-5 650 MHz is also allocated to the aeronautical radionavigation service on a primary basis. **(WRC 2012)**

5.454 Different category of service: in Azerbaijan, the Russian Federation, Georgia, Kyrgyzstan, Tajikistan and Turkmenistan, the allocation of the band 5 670-5 725 MHz to the space research service is on a primary basis (see No. 5.33). **(WRC 2012)**

5.459 Additional allocation: in the Russian Federation, the frequency bands 7 100-7 155 MHz and 7 190-7 235 MHz are also allocated to the space operation service (Earth-to-space) on a primary basis, subject to agreement obtained under No. 9.21. **(WRC 1997)**

5.478 Additional allocation: in Azerbaijan, Mongolia, Kyrgyzstan, Romania, Turkmenistan and Ukraine, the band 9 800-10 000 MHz is also allocated to the radionavigation service on a primary basis. **(WRC 2007)**

5.537A In Bhutan, Cameroon, Korea (Rep. of), the Russian Federation, India, Indonesia, Iran (Islamic Republic of), Iraq, Japan, Kazakhstan, Malaysia, Maldives, Mongolia, Myanmar, Uzbekistan, Pakistan, the Philippines, Kyrgyzstan, the Dem. People's Rep. of Korea, Sudan, Sri Lanka, Thailand and Viet Nam, the allocation to the fixed service in the band 27.9-28.2 GHz may also be used by high altitude platform stations (HAPS) within the territory of these countries. Such use of 300 MHz of the fixed-service allocation by HAPS in the above countries is further limited to operation in the HAPS-to-ground direction and shall not cause harmful interference to, nor claim protection from, other types of fixed-service systems or other co-primary services. Furthermore, the development of these other services shall not be constrained by HAPS. See Resolution 145 (Rev.WRC 12). **(WRC 2012)**

5.543A In Bhutan, Cameroon, Korea (Rep. of), the Russian Federation, India, Indonesia, Iran (Islamic Republic of), Iraq, Japan, Kazakhstan, Malaysia, Maldives, Mongolia, Myanmar, Uzbekistan, Pakistan, the Philippines, Kyrgyzstan, the Dem. People's Rep. of Korea, Sudan, Sri Lanka, Thailand and Viet Nam, the allocation to the fixed service in the band 31-31.3 GHz may also be used by systems using high altitude platform stations (HAPS) in the ground-to-HAPS direction. The use of the band 31-31.3 GHz by systems using HAPS is limited to the territory of the countries listed above and shall not cause harmful interference to, nor claim protection from, other types of fixed-service systems, systems in the mobile service and systems operated under No. 5.545. Furthermore, the development of these services shall not be constrained by HAPS. Systems using HAPS in the band 31-31.3 GHz shall not cause harmful interference to the radio astronomy service having a primary allocation in the band 31.3-31.8 GHz, taking into account the protection criterion as given in Recommendation ITU R RA.769. In order to ensure the protection of satellite passive services, the level of unwanted power density into a HAPS ground station antenna in the band 31.3-31.8 GHz shall be limited to -106 dB(W/MHz) under clear-sky conditions, and may be increased up to -100 dB(W/MHz) under rainy conditions to mitigate fading due to rain, provided the effective impact on the passive satellite does not exceed the impact under clear-sky conditions. See Resolution 145 (Rev.WRC 12). **(WRC 2012)**

5.546 Different category of service: in Saudi Arabia, Armenia, Azerbaijan, Belarus, Egypt, the United Arab Emirates, Spain, Estonia, the Russian Federation, Georgia, Hungary, Iran (Islamic Republic of), Israel, Jordan, Lebanon, Moldova, Mongolia, Oman, Uzbekistan, Poland, the Syrian Arab Republic, Kyrgyzstan, Romania, the United Kingdom, South Africa, Tajikistan, Turkmenistan and Turkey, the allocation of the band 31.5-31.8 GHz to the fixed and mobile, except aeronautical mobile, services is on a primary basis (see No. 5.33). **(WRC 2012)**

5.550 Different category of service: in Armenia, Azerbaijan, Belarus, the Russian Federation, Georgia, Kyrgyzstan, Tajikistan and Turkmenistan, the allocation of the band 34.7-35.2 GHz to the space research service is on a primary basis (see No. 5.33). **(WRC 2012)**