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## Outer Space and the Agenda for the 2011 World Radio Communication Conference

By

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### Introduction

In the area of radio communications the ITU convenes a periodic World Radio Communications Conference. The Agenda of the 2007 World Radiocommunication Conference established the Agenda for the 2011 Conference in Resolution 805 (WRC-07). In this way processes were placed in motion to culminate in the on-going regime of world-wide communication services. The complexities facing a conference require that the Agenda be established 4 to 6 years in advance with a final Agenda being agreed to 2 years before the formal commencement of the sessions.

The ITU, dating from 1865 when the International Telegraph Union was created, was established in its current status on January 1, 1934. In 1947 it became a specialized agency of the UN. Now composed of more than 190 States it maintains open relations with a countless number of providers of communication services. As scientific and technological innovations have increasingly reached new heights its role and functions have been vastly enlarged.

The activities and interests of the radio communications sector in the periodic World Communications Conferences are so detailed that an extraordinary amount of preparatory work must be done so that each Conference can deal meaningfully with the ever-present challenges. The goal of the Conferences is to maximize the effective use of the radiocommunications spectrum resource in a rational and efficient manner. This has been mandated by the global demand for spectrum to meet the needs of those who are engaged in the supply and use of information and technology, including security, national defense, cultural, educational, and business needs. The decisions of a Conference provide a technical and operational certainty for all affected users.

Delegates meet every third or fourth year, with the ITU Council being responsible for activities between conferences. It is composed of 46 members drawn from 5 regions, with different regions allocated a varying number of members. Region A (the Americas), including the United States has 5 seats. Region B (Western Europe) has 8

seats. Region C (Eastern Europe) has 5. Region D (Africa) has 13, and Region E (Asia and Australasia), 12. The Council meets annually.

The Council has been charged with management functions including approving budgets and controlling finances and expenditure. It must also take steps to “facilitate the implementation of the provisions of the ITU Constitution, the ITU Convention, the administrative Regulations, (International Telecommunications Regulations and Radio Regulations), the decisions of Plenipotentiary Conferences, and where appropriate, the decisions of other conferences and meetings of the Union.” The Radio Regulations deal with the use of the radio-frequency spectrum and satellite orbits.

The United States has found it beneficial in preparing for the Conferences to coordinate closely with members of three regional organizations. One is the Inter-American Telecommunication Commission (CITEL), the telecommunications arm of the Organization of American States. A second is the African Telecommunications Union (ATU), while the third is the Asia-Pacific Telecommunity (ATP). To the extent of their common views they have been able, as needed, to address the common positions advanced by European States, which compose the Conference of European Postal and Telecommunications (CEPT) administrations. The ITU employs the UN system of weighting each country equally so that every country possesses a single vote.

In 2007, as in 2003, the United States was in agreement with other countries that the agenda items were acceptable. Thus, it did not attach special reservations, understandings, declarations, or codicils, to the Final Acts of the Conference, as has frequently been the practice of the United States on other issues. The sensitivity of the U.S. to entering into international agreements was reflected by the statement that the U. S. reserved the right to make additional specific reservations at the time when the U. S. instrument of acceptance of the Radio Regulation revisions was deposited. As a further reflection of America’s cautious approach was the statement that the U.S. could not be bound by the instruments adopted by an ITU Conference until it officially notified the ITU of its consent to be bound. In the same vein the U. S., in keeping with its earlier practices, reiterated and incorporated by reference all declarations and reservations made by it at prior Radicommunication Conferences.

In the United States governmental beneficiaries include the departments of Commerce, Education, Energy, Defense, Homeland Security, Transportation, and State. Also benefiting are such entities as the Coast Guard, Federal Communications Commission, National Aeronautics and Space Administration, National Oceanic and Atmospheric Administration, and the National Telecommunications and Information Administration, which contains the Office of Spectrum Management, and which encompasses the Weather Services. Users of the spectrum are the ultimate beneficiaries.

A Conference is activated with a request from the ITU to governments to send delegates and to forward proposals. It also invites organizations to participate as observers. At the 2007 session there were over 2800 delegates from 164 countries with an additional 104 observers. Serving as the leader of the U. S. delegation was Richard

Russell, a ranking member of the White House Office of Science and Technology Policy. To determine potential delegates the Department of State asks for expressions of interest from individuals who must identify their employment by a firm or by an organization with a background statement regarding experience in the field. Private sector officials may be invited to serve as delegates. In order to identify governmentally approved observers the FCC issues notices seeking the identification of qualified persons from commercial public (non-federal) companies and organizations that use the radio spectrum. Those selected are then invited to participate in the Conference. A major decision of the 2007 Conference was to establish the agenda for the 2011 Conference.

#### ANNEX M RESOLUTION 805 (WARC-07) AGENDA FOR THE 2011 RADIOCOMMUNICATION CONFERENCE

In 2007 the World Radiocommunication Conference established the Agenda for the 2011 Conference. It specified for consideration and appropriate action the following subjects:

enhancement of the international regulatory framework

consideration of spectrum requirements and regulatory actions to support the safe operation of unmanned aircraft systems

consideration of regulatory measures to facilitate introduction of new aeronautical mobile  $\text{R}$  services in certain bands

consideration of world wide/regional harmonization for electronic news gathering

review and updating of spectrum use by passive services in certain bands and consideration of possible procedures for free-space optical-links

consideration of and action on long-term spectrum availability and access to spectrum to meet requirements for the aeronautical mobile service while preserving the generic allocation to the mobile-satellite service in certain bands

consideration of the progress of ITU-R concerning the technical and regulatory issues relative to the fixed service in certain bands taking into account Resolutions 731 (WRC-2000) and 732 (WRC-2000)

revision of frequencies and channelling arrangements of Appendix 17 to the Radio Regulations, in accordance with Resolution 351 (Rev.WRC-07), in order to implement new digital technologies for the maritime mobile service

examination of frequency allocation requirements regarding operation of safety systems for ships and ports

consideration of primary allocation to the space research service

protection of the primary service in a certain band from interference resulting from aeronautical mobile service operations

consideration of results of ITU-R studies and decision on the spectrum usage of a certain band for the broadcasting-satellite service and the associated feeder links in certain Regions

consideration of new applications in the radiolocation service and review of allocations or regulatory provisions of the radiolocation service in certain bands

consideration of possible allocations in certain MHz to the radiolocation service for oceanographic radar applications

consideration of the needs of passive systems for lightning detection in the meteorological aids service, including the possibility of an allocation of the frequency range below 20kHz, and to take appropriate action

consideration of sharing studies between the mobile service and other services in certain bands in certain Regions and to ensure the adequate protection of services to which the frequency band is allocated and take appropriate action

consideration of extending the existing primary and secondary radiodetermination-satellite service (space to earth) allocations in certain bands in order to make a global primary allocation and to determine necessary regulatory provisions

consideration of regulatory measures and their relevance in order to enable the introduction of software-defined radio and cognitive radio systems

consideration of the results of ITU-R studies and spectrum identification for gateway links for high altitude platform stations in certain ranges in order to support operations in the fixed and mobile service

to consider a primary allocation to the radiolocation service in a given band taking into account the results of ITU-R studies

examination of the effect of emissions from short-range devices on radiocommunication services

consideration of an allocation of about 15kHz in parts of a certain bands to the amateur service on a secondary basis, taking into account the need to protect existing services

consideration of the existing allocation to the meteorological-satellite service to a certain band with a view to extending the allocation to another band, limited to non-geostationary meteorological satellites in the space-to-Earth direction

consideration of possible additional allocations to the mobile satellite service

examination of the revised ITU-R Recommendations incorporated by reference in the Radio Regulations communicated by the Radiocommunication Assembly and to decide whether or not to update the corresponding references in the Radio Regulations in accordance with specified existing principles

consideration of such consequential changes and amendments to the Radio Regulations necessitated by decisions of the Conference

review of the resolutions and recommendations of previous conferences with a view to their possible revision, replacement or abrogation

review and taking of appropriate action on the Report from the Radiocommunication Assembly submitted in accordance with Nos. 135 and 136 of the Convention

identification of those items requiring urgent action by the Radiocommunication Study Groups in preparation for the next world radiocommunication conference

consideration of possible changes in response to Resolution 86 (Rev. Marrakesh, 2002) of the Plenipotentiary Conference: "Advance publication, coordination, notification and recording procedures for frequency assignments pertaining to satellite networks" in accordance with Resolution 86 (Rev.WRC-07)

to consider and approve the Report of the Director of the Telecommunication Bureau on the activities of the Radiotelecommunication Sector since WRC-07, on any difficulties or inconsistencies encountered in the application of the Radio Regulations, and action in response to Resolution 80 (Rev.WRC-07)

to recommend to the Council items for inclusion in the agenda for the next WRC, and to give its views on the preliminary agenda for the subsequent conference and on possible agenda items for future conferences, taking into account Resolution 806 (WRC-07)

This was followed by provision for completion of administrative activities in connection with future meetings and instructions to the Secretary-General to make the foregoing available to international and regional organizations.

Note: The role played by the United States at WRC-07 is contained in the United States Delegation Report submitted to the Secretary of State by the U. S. Head of Delegation. For a secondary source dealing with the WRC-03 see Kathleen A. Abernathy, "Why the World Radio Communication Conference Continues to be Relevant Today," 56 Federal Communications Law Journal 287 (2004). She is a former member of the Federal Communications Commission.