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|  | ASIA-PACIFIC TELECOMMUNITY | Document No: |
| **The 2nd Meeting of the APT Conference Preparatory Group for WRC-23 (APG23-2)** | **APG23-2/INF-27** |
| 19 – 23 April 2021, Virtual/Online Meeting | 8 April 2021 |

Chairman, DG on AI 2

**brief on wrc-23 agenda item 2**

(Note: *This brief was developed for information purpose only. It does not necessarily express the view of APG-23*)

**Agenda Item 2:**

*to examine the revised ITU-R Recommendations incorporated by reference in the Radio*

*Regulations communicated by the Radiocommunication Assembly, in accordance with the further resolves of Resolution* ***27 (Rev.WRC-19)****, and to decide whether or not to update the corresponding references in the Radio Regulations, in accordance with the principles contained in the resolves of that Resolution;*

**Relevant Resolutions and Responsible/Contributing ITU-R Groups**

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| Resolution **27 (Rev.WRC-19)**  Use of incorporation by reference in  the Radio Regulations | *resolves*  1 that for the purposes of the Radio Regulations, the term “incorporation by reference” shall only apply to those references intended to be mandatory;  2 that the text incorporated by reference shall have the same treaty status as the Radio Regulations themselves;  3 that the reference shall be explicit, specifying the specific part of the text (if appropriate) and the version or issue number;  4 that, where a mandatory reference to an ITU-R Recommendation, or parts thereof, is included in the resolves of a WRC Resolution, which is itself cited in a provision or footnote of the Radio Regulations using mandatory language (i.e. “shall”), the ITU-R Recommendation or parts thereof shall also be considered as incorporated by reference;  5 that texts which are of a non-mandatory nature or which refer to other texts of a non-mandatory nature shall not be considered for incorporation by reference;  6 that when considering the introduction of new cases of incorporation by reference, such incorporation shall be kept to a minimum and made by applying the following criteria:  6.1 only texts which are relevant to a specific WRC agenda item may be considered;  6.2 where the relevant texts are brief, the referenced material should be placed in the body of the Radio Regulations rather than using incorporation by reference;  6.3 the guidance contained in Annex 1 to this Resolution shall be applied in order to ensure that the correct method of reference for the intended purpose is employed;  7 that the text to be incorporated by reference shall be submitted for adoption by a competent WRC and the procedure described in Annex 2 to this Resolution shall be applied for approving the incorporation by reference of ITU-R Recommendations or parts thereof;  8 that existing references to ITU-R Recommendations shall be reviewed to clarify whether the reference is mandatory or non-mandatory in accordance with Annex 1 to this Resolution;  9 that ITU-R Recommendations, or parts thereof, incorporated by reference at the conclusion of each WRC, and a cross-reference list of the regulatory provisions, including footnotes and Resolutions, incorporating such ITU-R Recommendations by reference, shall be collated and published in a volume of the Radio Regulations (see Annex 2 to this Resolution);  10 that if, between WRCs, a text incorporated by reference (e.g. an ITU-R Recommendation) is updated, the reference in the Radio Regulations shall continue to apply to the earlier version incorporated by reference until such time as a competent WRC agrees to incorporate the new version; the mechanism for considering such a step is given in the further resolves part of this Resolution,  *further resolves*  1 that each radiocommunication assembly shall communicate to the next WRC a list of the ITU-R Recommendations containing text incorporated by reference in the Radio Regulations which have been revised and approved during the elapsed study period;  2 that, on this basis, WRC is invited to examine those revised ITU-R Recommendations, and decide whether or not to update the corresponding references in the Radio Regulations;  3 that, if WRC decides not to update the corresponding references, the currently referenced version shall be maintained in the Radio Regulations;  4 to invite future WRCs to include a standing agenda item on examination of the revised ITU-R Recommendations in accordance with further resolves 1 and 2 of this Resolution,  *instructs the Director of the Radiocommunication Bureau*  1 to bring this Resolution to the attention of the Radiocommunication Assembly and the ITU-R study groups;  2 to identify the provisions and footnotes of the Radio Regulations containing references to ITU-R Recommendations and make suggestions on any further action to the second session of the Conference Preparatory Meeting (CPM) for its consideration and  inclusion in the CPM Report;  3 to identify the provisions and footnotes of the Radio Regulations containing references to WRC Resolutions that contain references to ITU-R Recommendations, and make suggestions on any further action to the second session of CPM for its consideration and inclusion in the CPM Report;  4 to provide the second session of CPM with a list, for inclusion in the CPM Report, of those ITU-R Recommendations containing texts incorporated by reference that have been revised or approved since the previous WRC, or that may be revised in time for the next WRC,  *invites administrations*  1 to submit proposals to future conferences, taking into account the CPM Report, in order to clarify the status of references, where ambiguities remain regarding the mandatory or non-mandatory status of the references in question, with a view to amending those references:  i) that appear to be of a mandatory nature, identifying such references as being incorporated by reference by using clear linking language in accordance with Annex 1;  ii) that are of a non-mandatory character, so as to refer to “the most recent version” of the Recommendations;  2 to participate actively in the work of the radiocommunication study groups and the Radiocommunication Assembly on revision of those Recommendations to which mandatory references are made in the Radio Regulations;  3 to examine any indicated revisions of ITU-R Recommendations containing text incorporated by reference and to prepare proposals on possible updating of relevant references in the Radio Regulations. |

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| **Responsible group** | **Contributing group** |
| **CPM23-2** | **-** |

**1. Background Information**

This is a standing agenda item at every WRC to examine the revised ITU-R Recommendationsincorporated by reference in the Radio Regulations (RR) in order to determine their suitability for incorporation by reference in the RR. As such ITU-R Recommendations (IBR Recommendations) may be revised by ITU-R Study Groups, it is necessary for the next WRC to decide whether or not to update the corresponding references in the RR in accordance with Resolution **27 (Rev.WRC-19)**.

**2. Information on on-going ITU-R Study**

It is important to note that as a usual practice no Working Party is assigned as a responsible (or contributing) group and as such there is no ongoing study on this agenda item at ITU-R. CPM23-2 is the responsible group and the director of the Radiocommunication Bureau is invited to submit relevant information to the second session of CPM for its consideration and inclusion in the CPM Report in accordance with Resolution **27 (Rev.WRC-19)**.

While there is no on-going ITU-R Study specific to this agenda item, APT members are encouraged to participate in the studies that may revise the IBR Recommendations in order to facilitate our future work to develop an APT common proposal to the next WRC.

**3. Position of the Regional Group (if available)**

None

**4. Position of International Organizations (if available)**

None