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| **The 4th Meeting of the APT Conference Preparatory**  **Group for WRC-23 (APG23-4)** | **APG23-4/OUT-05**  **(Rev.1)** |
| 15 – 20 August 2022, Bangkok, Thailand | 20 August 2022 |

Working Party 1

**PRELIMINARY VIEWs on WRC-23 agenda item 1.1**

**Agenda Item 1.1:**

*to consider, based on the results of the ITU R studies, possible measures to address, in the frequency band 4 800-4 990 MHz, protection of stations of the aeronautical and maritime mobile services located in international airspace and waters from other stations located within national territories, and to review the pfd criteria in No.* ***5.441B*** *in accordance with Resolution* ***223 (Rev.WRC 19)****;*

**1. Background**

WRC-19 approved WRC-23 agenda item 1.1 calling upon WRC-23 “to consider, based on the results of ITU-R studies, possible measures to address, in the frequency band 4 800-4 990 MHz, protection of stations of the aeronautical and maritime mobile services located in international airspace and waters from other stations located within national territories, and to review the power flux-density criteria in RR No. **5.441B** in accordance with Resolution **223   
(Rev.WRC-19)**”.

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WP 5B and 5D are the responsible groups, according to the CPM23-1 results ([*CA/251*](https://www.itu.int/dms_pub/itu-r/md/00/ca/cir/R00-CA-CIR-0251!!PDF-E.pdf)), to address the ITU-R preparatory work for WRC-23. Documents being developed by the co-responsible groups are listed as below.

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| Doc. Link | Title |
| [Doc. 5B/649  Annex 13](https://www.itu.int/dms_ties/itu-r/md/19/wp5b/c/R19-WP5B-C-0649!N13!MSW-E.docx) | PRELIMINARY DRAFT REVISION TO RECOMMENDATION ITU-R M.2116-0  Technical and operational characteristics and protection criteria for  systems operating in the aeronautical mobile service and maritime mobile  service within the 4 400-4 990 MHz frequency range |
| [Doc. 5D/1361 Chapter 4 - Annex 4.7](https://www.itu.int/dms_ties/itu-r/md/19/wp5d/c/R19-WP5D-C-1361!H4-N4.06!MSW-E.docx) | WORKING DOCUMENT TOWARDS A PRELIMINARY  DRAFT CPM TEXT FOR WRC-23 AGENDA ITEM 1.1 |
| [Doc. 5D/1361 Chapter 4 - Annex 4.8](https://www.itu.int/md/R19-WP5D-C-1361/en#:~:text=agenda%20item%201.1-,Word,-2912269%20bytes) | WORKING DOCUMENT TOWARDS A PRELIMINARY DRAFT NEWREPORT ITU-R M.[CONDITIONS 1.1]  WORKING DOCUMENT RELATED TO WRC-23 AGENDA ITEM 1.1  Technical and regulatory conditions for the protection of stations of the  Aeronautical Mobile Service (AMS) and Maritime Mobile Service (MMS) located in international airspace or waters (i.e. outside national territories)  and operating in the frequency band 4 800-4 990 MHz |

The following six methods to satisfy this agenda item are proposed in Section 1/1.1/4 of the working document towards a preliminary [draft CPM text:](https://www.itu.int/md/R19-WP5D-C-1361/en#:~:text=agenda%20item%201.1-,Word,-2912269%20bytes)

* **Method A**: No change.
* **Method B**: Keeping the existing pfd and applying it to all countries listed in

RR No. 5.441B.

* **Method C**: New pfd value.
* **Method D**: New pfd value and applying it to all countries listed in RR No. 5.441B.
* **Method E**: No additional measures for protection of AMS/MMS stations in

international airspace and waters.

* **Method F**: Bilateral/multilateral coordination between concerned countries.

**2. Documents**

* Input Documents:

APG23-4/[INP-07](https://www.apt.int/sites/default/files/2022/08/APG23-4-INP-07_J-1_WP1_Preliminary_Views_on_WRC-23_Agenda_Items_1.1_1.2_1.3_1.4_1.5_9.1.C_and_RR_No.21.5.docx) (J), [INP-14](https://www.apt.int/sites/default/files/2022/08/APG23-4-INP-14_AUS_WP1_Preliminary_Views_on_WRC-23_Agenda_Items_1.1_1.2_1.3_1.4_1.5_9.1Topic_c_and_No21.5.docx) (AUS), [INP-23](https://www.apt.int/sites/default/files/2022/08/APG23-4-INP-23_IRN_WP1_Preliminary_Views_on_WRC-23_Agenda_Items_1.1_1.2_1.3_1.4_1.5_and_9.1Topic_c.docx) (IRN), [INP-34](https://www.apt.int/sites/default/files/2022/08/APG23-4-INP-34_KOR_WP1_Preliminary_Views_on_WRC-23_Agenda_Items_1.1_1.2_1.3_1.4__9.1Topic_c_and_No.21.5.docx) (KOR), [INP-40](https://www.apt.int/sites/default/files/2022/08/APG23-4-INP-40_China_WP1_Preliminary_Views_on_WRC-23_Agenda_Items_1.1_1.2_1.3_1.4_1.5_9.1Topic_c_and_No.21.5.docx) (CHN),   
[INP-45](https://www.apt.int/sites/default/files/2022/08/APG23-4-INP-45_Thailand_WP1_Preliminary_Views_on_WRC-23_Agenda_Items_1.1_1.2_1.4_and_9.1Topic_c.docx)(THA), [INP-51](https://www.apt.int/sites/default/files/2022/08/APG23-4-INP-51_NZL_WP1_Preliminary_Views_on_WRC-23_Agenda_Items_1.1_1.2_1.3_1.5_9.1_Topic_c_and_No.21.5.docx) (NZL), [INP-55](https://www.apt.int/sites/default/files/2022/08/APG23-4-INP-55_SNG_WP1_Preliminary_Views_on_WRC-23_Agenda_Items_1.1_1.2_9.1Topic_c_and_No.21.5.docx) (SNG), [INP-66](https://www.apt.int/sites/default/files/2022/08/APG23-4-INP-66Rev.1_MLA_WP1_Preliminary_Views_on_WRC-23_Agenda_Items_1.1_1.2_and_1.4.docx)(Rev.1) (MLA), [INP-71](https://www.apt.int/sites/default/files/2022/08/APG23-4-INP-71_Nepal_WP1_Preliminary_Views_on_WRC-23_Agenda_Items_1.1_1.2_and_1.4_0.docx) (NPL),   
[INP-73](https://www.apt.int/sites/default/files/2022/08/APG23-4-INP-73_Philippines_WP1_Preliminary_Views_on_WRC-23_Agenda_Items_1.1_1.2_1.3_1.4_and_9.1Topic_c_0.docx) (PHL), [INP-74](https://www.apt.int/sites/default/files/2022/08/APG23-4-INP-74_VTN_WP1_Preliminary_Views_on_WRC-23_Agenda_Items_1.1_1.2_1.3_1.4_and_1.5.docx) (VTN).

* Information Documents

APG23-3/[INF-15](https://www.apt.int/sites/default/files/2021/10/APG23-3-INF-15_ICAO-Position_for_ITU_WRC-23.docx) (ICAO), APG23-4/[INF-02](https://www.apt.int/sites/default/files/2022/07/APG23-4-INF-02_ATU_preparation.docx) (ATU), [INF-21](https://www.apt.int/sites/default/files/2022/08/APG23-4-INF-21_ASMG_Preparation_for_WRC-23.pdf) (ASMG),   
[INF-26](https://www.apt.int/sites/default/files/2022/08/APG23-4-INF-26_Brief_on_AI1.1.docx) (DG chair), [INF-28](https://www.apt.int/sites/default/files/2022/08/APG23-4-INF-28_CITEL_Preparation_for_WRC-23.pdf) (CITEL), [INF-30](https://www.apt.int/sites/default/files/2022/08/APG23-4-INF-30_Preliminary_Views_on_WRC-23_Agenda_Items_1.1_1.2_1.3_and_1.5.docx) (Ericsson Vietnam, *et al.*),   
[INF-33](https://www.apt.int/sites/default/files/2022/08/APG23-4-INF-33_GSMA_views_on_WRC-23_Agenda_Items.docx) (GSMA Hong Kong), [INF-44](https://www.apt.int/sites/default/files/2022/08/APG23-4-INF-44_Status_of_RCC_preparation_to_the_World_Radio_Conference_and_Radio_Assembly_2023.pdf) (RCC), [INF-48](https://apt.int/sites/default/files/2022/08/APG23-4-INF-48_Status_of_CEPT_preparation_for_WRC-23_and_RA-23.pdf) (CEPT).

**3. Summary of discussions**

**3.1 Summary of APT Members’ views**

**3.1.1 Japan** - **Document APG23-4/**[**INP-07**](https://www.apt.int/sites/default/files/2022/08/APG23-4-INP-07_J-1_WP1_Preliminary_Views_on_WRC-23_Agenda_Items_1.1_1.2_1.3_1.4_1.5_9.1.C_and_RR_No.21.5.docx)

Japan supports ITU-R studies on the technical and regulatory conditions for the protection of stations of the aeronautical mobile service and maritime mobile service located in international airspace or waters (i.e. outside national territories) and operated in the frequency band 4 800-4 990 MHz in accordance with Resolution **223 (Rev.WRC-19)**.

**3.1.2** **Australia** - **Document APG23-4/**[**INP-14**](https://www.apt.int/sites/default/files/2022/08/APG23-4-INP-14_AUS_WP1_Preliminary_Views_on_WRC-23_Agenda_Items_1.1_1.2_1.3_1.4_1.5_9.1Topic_c_and_No21.5.docx)

Australia supports protection of stations of the aeronautical mobile service (AMS) and the maritime mobile service (MMS) located in international airspace or waters (i.e. outside national territories) and operated in the 4 800 ‑ 4 990 MHz frequency band (from other stations located within national territories) while enabling the use of this band for IMT as practicable.

**3.1.3 Iran (Islamic Republic of)** - **Document APG23-4/**[**INP-23**](https://www.apt.int/sites/default/files/2022/08/APG23-4-INP-23_IRN_WP1_Preliminary_Views_on_WRC-23_Agenda_Items_1.1_1.2_1.3_1.4_1.5_and_9.1Topic_c.docx)

I.R. of Iran supports the on-going ITU-R studies relating to Agenda Item 1.1. Activities of Working Party 5D on this agenda item are focused on two issues:

1. CPM draft for which, after considerable efforts to reconcile between divergent views on how to protect AMT and MSS, 6 Methods to satisfy agenda items are included in the draft CPM Text.
2. One working document toward a preliminary draft new Report on “conditions of use of the band.”

These two documents, in particular Draft CPM text would be further discussed with a view to be finalized at the next and final meeting of the WP5D before deadline established by   
CPM23-1 for the delivery of draft CPM text to Chapter Rapporteur.

This Administration does not have any position on the matter at this stage.

**3.1.4 Korea (Republic of)** - **Document APG23-4/**[**INP-34**](https://www.apt.int/sites/default/files/2022/08/APG23-4-INP-34_KOR_WP1_Preliminary_Views_on_WRC-23_Agenda_Items_1.1_1.2_1.3_1.4__9.1Topic_c_and_No.21.5.docx)

The Republic of Korea is of the view that protection of aeronautical mobile and maritime mobile service from harmful interference caused by IMT stations in the frequency band 4 800-4 990 MHz cannot be ensured solely through coordination procedure between the related administrations under RR Article **9** including No.**9.21**.

Therefore, the Republic of Korea supports the study on the technical and regulatory conditions for the protection of AMS and MMS in the frequency band 4 800-4 990 MHz in accordance with Resolution **223** **(Rev. WRC-19)**.

In regard to the review of the pfd criteria in No. **5.441B**, in order to ensure the continued protection of AMS and MMS and appropriate operation of IMT, proper pfd value should be applied to administrations listed in No. **5.441B**. If not, the current pfd criteria in No. **5.441B** needs to be applied continuously.

**3.1.5 China (People’s Republic of)** - **Document APG23-4/**[**INP-40**](https://www.apt.int/sites/default/files/2022/08/APG23-4-INP-40_China_WP1_Preliminary_Views_on_WRC-23_Agenda_Items_1.1_1.2_1.3_1.4_1.5_9.1Topic_c_and_No.21.5.docx)

China is of the preliminary view that AI 1.1 should be studied with due consideration given to the need of administrations that plan to use IMT systems within their own territory in 4800-4990 MHz, without restrictions from other services in international airspace and waters.

With respect to the relationship between the regulatory studies and technical studies, China is the view that regulatory study results are the prerequisite for the application of technical studies. The technical studies mainly provide the technical conditions required to protect relevant services, and the implementation of such conditions depends on the results of the regulatory studies.

**3.1.6** **Thailand (Kingdom of)** - **Document APG23-4/**[**INP-45**](https://www.apt.int/sites/default/files/2022/08/APG23-4-INP-45_Thailand_WP1_Preliminary_Views_on_WRC-23_Agenda_Items_1.1_1.2_1.4_and_9.1Topic_c.docx)

Thailand maintains its preliminary view on agenda item 1.1 expressed at APG23-3 in which Thailand supports ITU-R study on the technical and regulatory conditions for the protection of stations of the aeronautical and maritime mobile services located in international airspace or waters (i.e. outside national territories) and operated in the frequency band 4 800-4 990 MHz. With respect to the review of the pfd criteria contained in RR No. **5.441B**, the protection of existing services shall be ensured.

**3.1.7** **New Zealand** - **Document APG23-4/**[**INP-51**](https://www.apt.int/sites/default/files/2022/08/APG23-4-INP-51_NZL_WP1_Preliminary_Views_on_WRC-23_Agenda_Items_1.1_1.2_1.3_1.5_9.1_Topic_c_and_No.21.5.docx)

New Zealand supports studies with a view to ensure that stations of the aeronautical mobile service (AMS) and maritime mobile services (MMS) located in international airspace or waters and operating in the frequency band 4 800-4 990 MHz remain protected on the basis of the pfd limit provided in RR **5.441B.** Discussions should continue to focus on a review of the pfd criteria as outlined inResolution **223 (Rev.WRC 19).** New Zealand does not consider that RR No **9.21** alone is sufficient to provide protection.

**3.1.8 Singapore (Republic of)** - **Document APG23-4/**[**INP-55**](https://www.apt.int/sites/default/files/2022/08/APG23-4-INP-55_SNG_WP1_Preliminary_Views_on_WRC-23_Agenda_Items_1.1_1.2_9.1Topic_c_and_No.21.5.docx)

Singapore supports possible new measures to protect stations of the AMS and the MMS that are located in international airspace or waters and are operating in the frequency band 4 800-4 990 MHz in accordance with Resolution **223 (Rev.WRC-19)**.

Singapore considers that any protection of AMS/MMS in international airspace and waters within 4800-4990 MHz band, for the implementation of IMT, should be subject to the agreement between the concerned administrations, i.e., between a Coastal State and other states which have interest in ensuring protection of AMS/MMS applications authorized by them and operating in international airspace/waters close to the coastal state in question.

**3.1.9** **Malaysia** - **Document APG23-4/**[**INP-66**](https://www.apt.int/sites/default/files/2022/08/APG23-4-INP-66Rev.1_MLA_WP1_Preliminary_Views_on_WRC-23_Agenda_Items_1.1_1.2_and_1.4.docx)**(Rev.1)**

Malaysia supports the development of technical and regulatory conditions for protection of aeronautical and maritime mobile services stations located in international airspace and waters operating in 4 800-4 990 MHz, in accordance with Resolution **223 (Rev.WRC-19)**.

**3.1.10** **Nepal (Federal Democratic Republic of)** - **Document APG23-4/**[**INP-71**](https://www.apt.int/sites/default/files/2022/08/APG23-4-INP-71_Nepal_WP1_Preliminary_Views_on_WRC-23_Agenda_Items_1.1_1.2_and_1.4_0.docx)

Nepal supports ITU-R studies on the technical and regulatory conditions for the protection of stations of the aeronautical and maritime mobile service located in international airspace or waters (i.e. outside national territories) and operated in the frequency band 4 800-4 990 MHz in accordance with the Resolution **223 (Rev.WRC-19)**.

**3.1.11 Philippines (Republic of the)** - **Document APG23-4/**[**INP-73**](https://www.apt.int/sites/default/files/2022/08/APG23-4-INP-73_Philippines_WP1_Preliminary_Views_on_WRC-23_Agenda_Items_1.1_1.2_1.3_1.4_and_9.1Topic_c_0.docx)

Philippines supports the ITU-R study on the technical and regulatory conditions for the protection of stations of the AMS and MMS located in international airspace or waters (i.e. outside national territories) and operated in the frequency band 4 800-4 990 MHz.

With respect to the review of the pfd criteria contained in RR No. **5.441B**, Philippines is of the view that the protection of existing services shall be ensured.

**3.1.12 Viet Nam (Socialist Republic of)** - **Document APG23-4/**[**INP-74**](https://www.apt.int/sites/default/files/2022/08/APG23-4-INP-74_VTN_WP1_Preliminary_Views_on_WRC-23_Agenda_Items_1.1_1.2_1.3_1.4_and_1.5.docx)

Viet Nam supports method E, may consider method F or C, at later stage, when these methods are further developed.

In addition, Viet Nam opposes method B and D.

**3.2 Summary of issues raised during the meeting**

* There was discussion regarding the use of spectrum in international airspace and international waters.
  + No country has jurisdiction over the use of spectrum in international airspace and water.
  + The protection of radiocommunication services in the international airspace and water should be studied under Resolution **223(Rev.WRC-19)**.
* Regarding the pfd issues in RR No. **5.441B** and “*resolve* 5” of Resolution **223 (Rev.WRC-19)**:
  + Some APT Members expressed that it is no way to apply any new pfd limit to any countries listed in *resolve* 5 of Resolution **223 (Rev.WRC-19)** and the review of *resolve* 5 of this Resolution is out of the scope of WRC-23 agenda item 1.1.
  + Some other APT Members expressed that it is not practical to ensure continued protection of AMS and MMS stations located in international airspace and waters solely through the RR No. **9.21,** and thus the protection should be ensured by reviewing the pfd value as addressed in Resolution **223 (Rev. WRC-19)** and review of *resolve* 5 so that the pfd criteria should be applied to all administrations.
* There was a discussion on the methods to satisfy agenda item 1.1, and different views were expressed by APT Members in this regard.

**4. APT Preliminary View(s)**

APT Members support the on-going ITU-R studies relating to Agenda Item 1.1.

**5. Other View(s) from APT Members**

Some APT Members are of the view that the power flux-density (pfd) limits in No. **5.441B**, which is subject to review at WRC- 23, shall not apply to the following countries: Armenia, Brazil, Cambodia, China, Russian Federation, Kazakhstan, Lao P.D.R., Uzbekistan, South Africa, Viet Nam and Zimbabwe according to *resolve* 5 of Resolution **223 (Rev.WRC-19)**.

Some other APT Members are of the view that *resolve* 5 of Resolution **223 (Rev.WRC-19)** is an unfair practice in RR, exempting only a limited number of administrations from the application of pfd criteria.

**6. Issues for Consideration at Next APG Meeting**

APT Members are encouraged to submit their contribution for further considerations in the next APG23-5 meeting, taking into account the progress of ITU-R studies, including the issues mentioned in section 3.2 above.

**7. Views from Other Organisations** (as provided in the information documents to

APG23-4)

**7.1 Regional Groups**

**7.1.1 ASMG** - **Document APG23-4/**[**INF-21**](https://www.apt.int/sites/default/files/2022/08/APG23-4-INF-21_ASMG_Preparation_for_WRC-23.pdf)

Follow up on current studies to examine how the systems currently used in the 4800-4990 MHz frequency band coexist, with an emphasis on ensuring the protection of existing services and not imposing additional restrictions on them.

**7.1.2 ATU** - **Document APG23-4/**[**INF-02**](https://www.apt.int/sites/default/files/2022/07/APG23-4-INF-02_ATU_preparation.docx)

* Support ongoing studies within ITU-R WP 5D, and encourage administrations to actively participate and contribute meaningfully in the development of the draft CPM text on AI 1.1
* Support, based on the results of the studies, global/regional harmonization of the frequency band 4800-4990 MHz for the implementation of IMT, taking into account the protection of incumbent services;
* Consider including their names in footnote **5.441B** for African Administrations not in the footnote, in order to achieve global/regional harmonization of the frequency band 4800-4990 MHz for the implementation of IMT;
* Decide that any appropriate measures to ensure the protection of AMS and MMS operating in international airspace/waters (as maybe deemed applicable) should be informed by the outcome of the studies,
* Decide that, in the case of protection of Radio Astronomy, within 4800-4990 MHz (secondary) and the adjacent band 4990-5000 MHz, it should be addressed as a national matter (where applicable).
  + 1. **CEPT** - **Document APG23-3/**[**INF-48**](https://apt.int/sites/default/files/2022/08/APG23-4-INF-48_Status_of_CEPT_preparation_for_WRC-23_and_RA-23.pdf)

CEPT is of the view that, AMS and MMS stations located in international airspace or waters and operated in the band 4800‐4990 MHz shall be protected on the basis of the pfd limit provided in RR No. **5.441B**, which will be reviewed taking into account all detailed AMS and MMS characteristics and protection criteria.

**7.1.4 CITEL** - **Document APG23-4/**[**INF-28**](https://www.apt.int/sites/default/files/2022/08/APG23-4-INF-28_CITEL_Preparation_for_WRC-23.pdf)

* Some Administrations share the view that protection of aeronautical mobile and maritime mobile services and/or applications of the primary Mobile Service in the frequency band   
  4 800-4 990 MHz cannot be fulfilled solely through application of No. **9.21**. These Administrations support the study of technical and regulatory conditions for the protection of aeronautical mobile and maritime mobile services and/or applications located in international airspace or waters (i.e., outside national territories) and operated in the frequency band 4 800-4 990 MHz. Regarding the review of the pfd criteria contained in   
  No. **5.441B**, the continued protection of aeronautical mobile and maritime mobile services and/or applications of the Mobile Service must be ensured.
* An Administration supports appropriate sharing studies under agenda item 1.1 in the band   
  4 800-4 990 MHz. This Administration believes this band will be important to satisfy the needs of IMT in mid-band spectrum and plans to use it for IMT services.
* An Administration considers convenient to conduct studies on technical and regulatory conditions for the protection of the stations of aeronautical and maritime mobile services located in international waters or international airspace (that is, outside the national territory) that operate in the frequency band 4 800-4 990 MHz, so that IMT systems can operate at levels that allow the provision of mobile broadband services in the territories of those Administrations that desire so, pursuing coexistence with the aforementioned services.

**7.1.5 RCC** - **Document APG23-4/**[**INF-44**](https://www.apt.int/sites/default/files/2022/08/APG23-4-INF-44_Status_of_RCC_preparation_to_the_World_Radio_Conference_and_Radio_Assembly_2023.pdf)

* The RCC Telecommunication Administrations are of the view that, due to the absence of a procedure for notification and registration of frequency assignments for stations in the aeronautical mobile service (AMS) and maritime mobile service (MSS) in the international space (international airspace or waters, i.e. outside national territories), such frequency assignments do not have international recognition and exclusive protection rights. Accordingly, AMS and MMS applications in the international airspace do not have any priority over other applications of terrestrial services in the frequency band 4 800-4 990 MHz, used both in the international space and within the national territories of countries.
* The RCC Telecommunication Administrations object to the additional application of pfd limits in the frequency band 4 800-4 990 MHz to protect AMS and MMS stations, located in international space, as this unduly restricts the use of this band by other radio services within national territories.
* The RCC Telecommunication Administrations are of the view that, taking into account RR Nos. **8.1** and **8.3**, frequency assignments to AMS and MMS stations located in the international space and not recorded in the Master Register and not included in the relevant Plans, shall not be taken into account when administrations making their own assignments.
* The RCC Telecommunication Administrations are of the view that, the protection of frequency assignments to AMS and MMS stations in international airspace and waters, leading to the restriction of the use of frequency assignments within national territories, may be afforded only with the consent of the affected administration(s). Such agreement may be reached, for example, through developing appropriate spectrum utilization plans for AMS, MMS and other applications, taking into account the standards adopted by ICAO and IMO, or on a bilateral/multilateral basis between the administrations concerned.

**7.2 International Organisations**

**7.2.1 ICAO** - **Document APG23-3/**[**INF-15**](https://www.apt.int/sites/default/files/2021/10/APG23-3-INF-15_ICAO-Position_for_ITU_WRC-23.docx)

To support any measures taken to enhance the protection of flight testing in international airspace that are consistent with the results of agreed studies.

To oppose any proposed measure that is not in line with the results of agreed studies and reduces the level of protection afforded to flight test operations in international airspace and above international waters.

To ensure that the proposed methods to satisfy this agenda item do not have a negative impact on the use of aviation systems in other frequency bands.

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