

**Statement of Principles and Recommendations**  
**Special Working Group on the Monitoring Service**  
**Region 3 Conference, Christchurch, NZ**  
**October, 2009**

Whereas, the IARU Monitoring Service and the three regional Monitoring Services have been active for a number of years, and

Whereas, the Monitoring Service at both the regional and global level is an important aspect of the protection of the amateur spectrum, and

Whereas, in some countries it is not realistically practical for the member society to be as active in reporting intrusions in the amateur radio bands to its own administration and it is desirable to have an alternative means by which such intrusions can be reported and brought to the attention of the intruders administration, and

Whereas, there is a dedicated group of monitors who identify and report "intruders" operating in the amateur radio bands and instances of harmful interference in our Region and the other IARU regions, and

Whereas, there is a need to reinvigorate this activity and to update and modernize the protocols and procedures to effectively deal with intruders and harmful interference in the amateur radio bands, and

Whereas, there is a need for more effective collection of data related to intruders in the amateur radio bands and dissemination of information and procedures about the Monitoring Service and the procedure for documenting intrusions into the amateur radio bands, and

Whereas, it is desirable to prioritize the complaints of harmful interference and intruders so that corrective actions and removal of intruders can be more effectively achieved, and

Whereas, it is desirable to have a simple, standardized guide for the work of the International and the various Regional Monitoring Service Coordinators,

THEREFORE, the Special Committee on the Monitoring Service recommends that the 14<sup>th</sup> Region Three Triennial Conference adopt the following recommendations:

1. The Region 3 representatives attending the IARU Administrative Council meeting after this conference shall propose that the International Secretariat, in consultations with all 3 regions, establish a mechanism or protocol for prioritizing corrective actions to be taken in response to reports of harmful interference and intruders in the amateur radio bands.
2. The Region 3 representatives attending the IARU Administrative Council meeting after this conference shall propose that the International Secretariat, in consultations with all 3 regions, review, and make any appropriate revisions to, the procedures and protocols for the resolution, removal and/or corrective actions taken in response to reports of harmful interference or intruders in the amateur radio bands.

3. The Region 3 Directors shall consult with the other two regions and the International Secretariat in order to establish a standardized Terms of Reference for MS Coordinators and a standardized "Guide to the Operation of the Monitoring Service" both of which can be adopted and used in all three regions. It is suggested that the document entitled "A Guide to the Monitoring Service" attached to this recommendation can be used as a basis for such consultations.
4. The Region 3 Directors, in association with the IARU Region 3 IARUMS Coordinator, shall take any appropriate and necessary steps to improve and modernize the Region 3 website dealing with the IARU Monitoring Service pending establishment of a global web site as set forth below in these recommendations.
5. The Region 3 representatives attending the IARU Administrative Council meeting after this conference shall propose that the International Secretariat, in consultations with all 3 regions, establish a web site for the collection of data related to all intruder reports and reports of harmful interference regardless of the region of the source of the interference or intruder or the region from which the report of interference or intruder is originated.

## **A Guide to the Monitoring System**

This Guide is prepared for the IARU Region 3 MS Coordinator, IARU Region 3 member societies and their National MS Coordinators by the IARU Region 3 Directors, and constitutes the Terms of Reference of the Region 3 MS Coordinator.

### **1. Purpose of this Guide**

The purpose of this guide is to set out in how the IARU Monitoring System works and identify and explain some of the constraints imposed at different levels.

### **2. Why a Monitoring System?**

Article 4 of the ITU Radio Regulations, the General Rules relating to the assignment and use of frequencies, provides:

*4.4 Administrations of the Member States shall not assign to a station any frequency in derogation of either the Table of Frequency Allocations in this Chapter or the other provisions of these Regulations, except on the express condition that such a station, when using such a frequency assignment, shall not cause harmful interference to, and shall not claim protection from harmful interference caused by, a station operating in accordance with the provisions of the Constitution, the Convention and these Regulations.*

An administration does not have to assign its stations frequencies in accordance with the Table of Frequency Allocations so long as its stations do not cause harmful interference to a station operating in accordance with the Radio Regulations. Accordingly, if amateur stations suffer harmful interference they must complain, because until the administrations knows that its station is causing harmful interference to stations operating in accordance with the Radio Regulations it can take the position that it is not in breach of the Radio Regulations.

In summary -

***The amateur service must take action to protect its bands because an administration permitting a station to operate contrary to the Radio Regulations may assert that its operation is not in breach of the Radio Regulations because there have been no complaints of harmful interference caused by that station.***

So the IARU has established the IARU Monitoring System.

### **3. What is the basic objective of the Monitoring System?**

The identification of transmitting stations operating contrary to the Radio Regulations in an exclusive amateur band, in this Guide referred to as an "Intruder", so that steps may be taken that lead to the removal from exclusive amateur bands of radio signals of non-amateur stations causing harmful interference to the amateur and amateur satellite services contrary to International Telecommunication Union (ITU) and national radio regulations.

In summary -

***The objective of the IARU MS is the removal of Intruders from exclusive amateur bands.***

### **4. How does it seek to achieve its basic objective?**

Two main ways:

By the member society of the country in which the Intruder is located advising the licensee, an appropriate government officer or its administration of the interference being caused by the Intruder to amateur stations and requesting action so that the Intruder is shut down or moved to an acceptable frequency.

or

By the member society in a country whose amateurs are suffering harmful interference from an Intruder in another country advising its administration of the interference being caused by the Intruder to its amateur stations and requesting its administration to make representations to the Intruder's administration so that the Intruder is shut down or moved to an acceptable frequency.

In summary -

***The success of the IARU MS depends on Member Societies acting to influence the licensees of Intruders in their country or the administrations of their country to remove Intruders from exclusive amateur bands or, if the Intruder is in another country, to request their administration to lodge a complaint to the administration of the country in which the Intruder is located.***

## **5. Is the Monitoring System subject to any restrictions?**

The IARU Monitoring System is subject to certain fundamental principles of the IARU.

One of those principles is the exclusive right of a member society to represent the IARU to its government, so each member society and the Regional Organisation is prohibited from communicating with any other member society's government departments, including the telecommunications administration of that another.

The reality is that it is possible that a complaint of harmful interference may do amateur radio significant harm in a particular country. That is why the judgment of the local society must always prevail.

There are a small number of countries that are not members of the ITU, and therefore not party to the treaty between nations that is the Radio Regulations, and which can therefore argue that they are not

bound to recognise them. That simply means that in some cases it is even harder to achieve the amateur objective.

Only in the circumstances set out in paragraph 8 of AC Resolution 99-4 may a Regional MS Coordinator make contact with station that is an Intruder.

A regional organisation may present a report to an administration if requested to do so by the relevant member society.

In summary -

***The IARU as an international organisation has certain rules that must always be respected, including the exclusive right of a member society to communicate with its administration.***

Another reality is that the ITU is unable to enforce its rules. Its members are all sovereign states, and the ITU does not have enforcement powers over its members.

## **6. How does the monitoring system work?**

Overall direction and coordination is the responsibility of the IARUMS International Coordinator (IC).

Each of the three IARU regional organisations appoints an IARUMS Regional Coordinator, responsible to their own regional organisation, but operating in accordance with their terms of reference and the instructions of the IC.

Each member society should appoint a National IARUMS Coordinator supported by volunteer amateurs skilled in monitoring activities ("Observers").

In addition, each member society should establish with its own administration a means by which their administration shall act on properly identified and documented cases of interference to their own amateur stations, whether the Intruder is under their jurisdiction or the jurisdiction of another administration.

The terms of reference, the general description of how the IARUMS is to work is set out in Administrative Council Resolution 99-4, and this Guide should be read subject to that Resolution.

## **7. What is the role of the International Coordinator?**

The IARU MS International Coordinator is appointed by the Administrative Council and shall:

- a. Direct and coordinate the IARUMS;
- b. Receive regular reports from the Regional MS Coordinators;
- c. Encourage inter-regional cooperation;
- d. Report annually to the Administrative Council and regularly through Regional Coordinators to member societies;
- e. With the assistance of Regional and National MS Coordinators, distribute educational material on the work of the IARU MS.

## **8. What is the role of the IARU Region 3 MS Coordinator?**

The IARU Region 3 MS Coordinator is appointed by the IARU Region 3 Conference.

The IARU Region 3 MS Coordinator shall:

- A. Generally;

- a. Manage the identification of and action against and the initiation of steps to remove interfering stations by:
- b. Receiving the logs from the National Coordinators, check and prepare consolidated reports;
- c. Forwarding reports of Intruders in other Regions to appropriate Regional MS Coordinator;
- d. Forwarding consolidated reports as required by the International Coordinator;
- e. Identifying particular Intruders to be monitored, identified and to be subject to action;
- f. As appropriate, following up National Coordinators to ensure action has been taken by them or their member society;
- g. Publish the actions taken and the result of those actions.

B. Undertake an educational role by:

- a. Promoting the IARUMS to member societies, particularly by providing information relevant to their role, to encourage societies to appoint and support national coordinators and Observers;
- b. Providing information to Observers useful to assist in identifying Intruders;
- c. Distributing to member societies, National Coordinators and Observers information relevant to the Monitoring Service, in particular in relation the Radio Regulations, their interpretation and amendment, relevant to the identification of Intruders;



- d. Establishing and maintaining an up to date, attractive and informative IARU Region 3 website, in cooperation with others as directed by the Directors; and
- e. Working with the International Coordinator and the other Regional Coordinators to further the IARUMS.

**9. What is the role of member societies?**

The role of member societies is to support the IARUMS and to appoint and support a National Coordinator; and

- a. To determine the circumstances in which and by whom and in what manner reports of harmful interference by Intruders are reported to their local administration, and to instruct the National Coordinator accordingly;
- b. To ensure that properly documented records of Intruders are maintained in a form that may be submitted to their administration in the manner they have determined;
- c. If the Intruder is located in the country of the member society advising the licensee of the Intruder, an appropriate government official or the administration of the interference being caused by the Intruder to amateur stations and requesting action so that the Intruder is shut down or moved to another frequency;
- d. If the Intruder is located in another country other than the country of the member society and amateurs in the country of the member society are suffering harmful interference from that Intruder advising its administration of the interference being caused by the Intruder to its amateur stations and requesting its administration to make representations to the Intruder's administration so that the Intruder is shut down or moved to an acceptable frequency;
- e. To ensure that reports of all action taken are submitted in a timely fashion to the Regional MS Coordinator.

**10. What the Regional and National MS Coordinators and Member Societies should NOT do**

- They never make representations to licensees in or the government of or any government official of or the administration of another country unless specifically requested to do so by the member society representing that country.
  - They never take any action in relation to the behaviour of or deliberate interference by licensed radio amateurs.
  - They never take any action in relation to any interference in any band that is not allocated exclusively to the amateur service.
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