

Dispute Resolution under the ITU Agreements

By

Ram S. Jakhu*

Outer space utilization is becoming accessible to and benefiting more and more users everywhere in the world. However, no meaningful space activity can be undertaken without proper and interference-free use of radio frequencies and geostationary orbital positions, which are international limited natural resources that must be shared among several radio services and all States.¹ However, if they are not properly used in accordance with the provisions of the ITU agreements, there might occur harmful interference² which could significantly reduce the quality of radiocommunications.

The number of space players, users and satellite missions, has been constantly increasing over the years. The space actors and users include not only States or their public entities, but also national and large transnational private corporations, global governmental organizations, etc. During the last decades, we have witnessed unprecedented technological development in the field of radio communications, resulting in a growing range of civilian and military services and applications, from aircraft and maritime navigation to satellite broadcasting and scientific research. Such

* LL.M., D.C.L.; Associate Professor, Institute of Air and Space Law, Faculty of Law, McGill University, Montreal, Canada.

¹ Article 44 (2) of ITU Constitution specifies that "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."

² Term "harmful interference" has been defined in ITU Radio Regulations (Article 1) as "Interference which endangers the functioning of a radionavigation service or of other safety services or seriously degrades, obstructs, or repeatedly interrupts a radiocommunication service operating in accordance with Radio Regulations."

services and applications increase the demand for radio frequencies and geostationary orbital positions.

The demand for appropriate radio spectrum and associated geostationary orbital slots is greater than the current supply. As the number of space players, users and missions increase the competition for these limited resources becomes severe. Consequently, we are witnessing that harmful interference with the use of radio frequencies is expanding and giving rise to serious disputes. One of the latest examples of serious harmful interference is that of a 315-million-euro Soil Moisture and Ocean Salinity (SMOS) probe of the European Space Agency (ESA) that "has been bugged by patches of interference from radar, TV and radio transmissions in what should be a protected band."³ The source of such interference has been identified as over-powerful illegal transmissions by TV, radio links and several networks such as security systems. The ESA had to embark upon "the tricky and lengthy process" of having the illegal transmissions shut down and the excessive out-of-band emissions reduced.⁴

The ever growing problem of harmful interference necessitates dispute resolution under the ITU agreements.

The Constitution, Convention and Administrative Regulations (including Radio Regulations governing space communications)⁵ of the International Telecommunication Union⁶ (hereinafter referred to as ITU) internationally regulate the use of radio frequencies and geostationary orbital positions. All States are free to choose and assign particular radio frequencies and orbital positions to their respective satellites, though they are obliged to avoid causing harmful interference to the radio frequencies that

³ "European satellite 'blinded' by radio interference" 6 October 2010, at http://www.spacemart.com/reports/European_satellite_blinded_by_radio_interference_999.html (accessed: 10 October 2010).

⁴ *Ibid.*

⁵ Radio Regulations (i.e. Administrative Regulations) of the ITU are international treaties, the latest version of which has been adopted by the ITU World Radiocommunication Conference in 2007.

⁶ As of 10 October 2010, there are 192 States Parties to the Constitution, Convention and Administrative Regulations of the ITU.

have been registered earlier with the ITU.⁷ This rule, also called the practice of “first-come, first-served”, implies that a State that registers its satellite system using particular orbital position and certain radio frequencies is protected against harmful interference from the late-comers.

For prevention of radio harmful interference problems by registering the assigned radio frequencies and orbital positions with the ITU, the ITU agreements make provision for notification to the ITU, and coordination between the concerned States, of the assigned radio frequencies and orbital positions. All ITU Member States are bound by the provisions of its Constitution, the Convention and Radio Regulations in all telecommunication matters and are required not to cause harmful interference to the radio services of other countries.⁸ However the process of coordination of assignments of radio frequencies and orbital positions is merely a bilateral negotiation between the concerned States. The State that had registered its satellite system with the ITU first is under no legal obligation to accommodate the satellite system of the late-comer States. If, after all the consultations between the States and after the Bureau’s non-binding recommendations, if and when sought, the dispute remains unresolved, “the Administration [State] which requested coordination shall . . . defer the submission of its notice of frequency assignments . . . for six months.”⁹ Therefore, the ITU’s

⁷ See Article 45 of ITU Constitution that specifies that, “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 Members 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.” In addition, according to Article 15 of ITU Radio Regulations, “(1) All stations are forbidden to carry out unnecessary transmissions, or the transmission of superfluous signals, or the transmission of false or misleading signals, or the transmission of signals without identification (except as provided for in Article 19). (2) Transmitting stations shall radiate only as much power as is necessary to ensure a satisfactory service.”

⁸ Article 6 of ITU Constitution specifies that “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 the 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.”

⁹ Article 9.64 of ITU Radio Regulations.

Radiocommunication Bureau's intervention is neither automatic nor does it have much authority.

Dispute resolution under ITU agreements is dealt with in Article 56 of the Constitution of the ITU. According to this Article, Member States may settle their disputes on questions relating to the interpretation or application of the Constitution, of the Convention or of the Administrative Regulations (including Radio Regulations governing space communications) by negotiation, through diplomatic channels, or according to procedures established by bilateral or multilateral treaties concluded between them for the settlement of international disputes, or by any other method mutually agreed upon. If none of these methods of settlement is adopted, any Member State party to a dispute may have recourse to arbitration in accordance with the arbitration procedure as specified in Article 41 of the Convention of the ITU.¹⁰ Member States of the ITU have also concluded an Optional Protocol on the Compulsory Settlement of Disputes Relating to ITU regulatory regime,¹¹ which is applicable among Member States parties to that Protocol. This Protocol essentially makes the arbitration procedure as defined in Article 41 of the Convention compulsory for settlement of disputes among the States Parties to the Protocol, the number of which is 64 States at present. In practice, neither Article 41 of the Convention nor the Optional Protocol has been used. Therefore, all the harmful interference problems have been and are resolved according to the provisions of Article 15 of the Radio Regulations.¹²

Within the ITU the harmful interference problems are resolved primarily through bilateral negotiations between the concerned States though they are supposed to "exercise the utmost goodwill and mutual assistance in the application of the provisions of Article 45 of the Constitution and of [Article 15 of the Radio Regulations]

¹⁰ See Annex 1.

¹¹ See Annex 2.

¹² See Annex 3.

to the settlement of problems of harmful interference.”¹³ The Radiocommunication Bureau of the ITU Secretariat can only intervene if a State requires its service. Moreover, the only actions that the Bureau is supposed to take are the analysis of the situation, and the adoption of conclusions with a non-binding recommended action, which it will send to the parties involved.¹⁴ Therefore, the Bureau does not have much authority. The ITU Radiocommunication Regulation Board, composed of 12 part-time members, is also a weaker body than its predecessor, the International Frequency Registration Board (IFRB). Though the new Board is still the body to provide the last non-binding recommendations in cases of harmful interference disputes after a report from the Director of the Radiocommunication Bureau; however, the unresolved dispute (problem) would be referred to the next ITU World Radiocommunication Conference (hereinafter referred to as WRC).¹⁵ Plenary Meetings of WRC address such cases and makes decisions mainly based on wider political considerations unrelated to the Radio Regulations. Thus, proper application of the Radio Regulations (specifically the Rules of Procedures included in these Regulations) and fair and efficient dispute resolution in the ITU are undermined.

Neither does the ITU possess any mechanism nor power of enforcement nor imposition of sanctions against the violators of its rules and regulations. It is true that volunteer compliance approach and the procedure of Article 15 of Radio Regulations worked well in the past and States have largely been following the ITU rules and procedures. The problem of harmful interference is currently serious and is expected to get worse in the future. The ITU regulatory regime governing the use of international limited natural resources as well as the bilateral dispute settlement procedure were initiated in 1963 and have remained essentially unchanged since then. They are proving outdated and inadequate to meet the requirements of 21st century satellite

¹³Article 15.22 of ITU Radio Regulations.

¹⁴ Article 15.46 of ITU Radio Regulations.

¹⁵ Article 14 (2) of ITU Constitution.

systems of a growing number of both public and private users. In the future, it would become necessary to resort to dispute resolution procedures other than that in Article 15 of the ITU Radio Regulations or other arbitration procedures, including those that are specified in Article 41 of the ITU Convention and the Option Protocol on Compulsory Settlement of Disputes Relating to the ITU agreements.

Annex 1

Convention of the International Telecommunication Union¹⁶

ARTICLE 41 - Arbitration: Procedure

(see Article 56 of the Constitution of the International Telecommunication Union)

- 507 1. The party which appeals to arbitration shall initiate the arbitration procedure by transmitting to the other party to the dispute a notice of the submission of the dispute to arbitration.
- 508 2. The parties shall decide by agreement whether the arbitration is to be entrusted to individuals, administrations or governments. If within one month after notice of submission of the dispute to arbitration, the parties have been unable to agree upon this point, the arbitration shall be entrusted to governments.
- 509 3. If arbitration is to be entrusted to individuals, the arbitrators must neither be nationals of a State party to the dispute, nor have their domicile in the States parties to the dispute, nor be employed in their service.
- 510 4. If arbitration is to be entrusted to governments, or to administrations thereof, these must be chosen from among the Member States which are not involved in the dispute, but which are parties to the agreement, the application of which caused the dispute.
- 511 5. Within three months from the date of receipt of the notification of the submission of the dispute to arbitration, each of the two parties to the dispute shall appoint an arbitrator.

¹⁶ As of 10 October 2010, there are 192 States Parties to the Convention.

- 512** 6. If more than two parties are involved in the dispute, an arbitrator shall be appointed in accordance with the procedure set forth in Nos. 510 and 511 above, by each of the two groups of parties having a common position in the dispute.
- 513** 7. The two arbitrators thus appointed shall choose a third arbitrator who, if the first two arbitrators are individuals and not governments or administrations, must fulfil the conditions indicated in No. 509 above, and in addition must not be of the same nationality as either of the other two arbitrators. Failing an agreement between the two arbitrators as to the choice of a third arbitrator, each of these two arbitrators shall nominate a third arbitrator who is in no way concerned in the dispute. The Secretary-General shall then draw lots in order to select the third arbitrator.
- 514** 8. The parties to the dispute may agree to have their dispute settled by a single arbitrator appointed by agreement; or alternatively, each party may nominate an arbitrator, and request the Secretary-General to draw lots to decide which of the persons so nominated is to act as the single arbitrator.
- 515** 9. The arbitrator or arbitrators shall be free to decide upon the venue and the rules of procedure to be applied to the arbitration.
- 516** 10. The decision of the single arbitrator shall be final and binding upon the parties to the dispute. If the arbitration is entrusted to more than one arbitrator, the decision made by the majority vote of the arbitrators shall be final and binding upon the parties.
- 517** 11. Each party shall bear the expense it has incurred in the investigation and presentation of the arbitration. The costs of arbitration other than those incurred by the parties themselves shall be divided equally between the parties

to the dispute.

- 518** 12. The Union shall furnish all information relating to the dispute which the arbitrator or arbitrators may need. If the parties to the dispute so agree, the decision of the arbitrator or arbitrators shall be communicated to the Secretary-General for future reference purposes.

Annex 2

Optional Protocol on the Compulsory Settlement of Disputes Relating to the Constitution of the International Telecommunication Union, to the Convention of the International Telecommunication Union and to the Administrative Regulations

At the time of signing the Constitution of the International Telecommunication Union and the Convention of the International Telecommunication Union (Geneva, 1992), the undersigned Plenipotentiaries have signed the present Optional Protocol on the Compulsory Settlement of Disputes.¹⁷

The Members of the Union, parties to this Optional Protocol, expressing the desire to resort to compulsory arbitration, so far as they are concerned, for the settlement of any disputes concerning the interpretation or application of the Constitution, the Convention or of the Administrative Regulations mentioned in Article 4 of the Constitution, have agreed upon the following provisions:

ARTICLE 1

Unless one of the methods of settlement listed in Article 56 of the Constitution has been chosen by common agreement, disputes concerning the interpretation or application of the Constitution, the Convention or the Administrative Regulations mentioned in Article 4 of the Constitution shall, at the request of one of the parties to the dispute, be

¹⁷ As of 10 October 2010, there are 64 States Parties to this Protocol. They are Australia, Austria, Bahrain, Barbados, Belarus, Belgium, Belize, Benin, Bosnia and Herzegovina, Botswana, Canada, Chile, Colombia, Congo (Rep. of the), Cyprus, Denmark, Egypt, El Salvador, Estonia, Finland, Greece, Guinea, Iceland, Ireland, Italy, Japan, Jordan, Kenya, Kiribati, Korea (Rep. of), Kuwait, Lao P.D.R., Latvia, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malta, Mauritius, Mexico, Monaco, Netherlands, New Zealand, Oman, Panama, Peru, Philippines, Portugal, San Marino, Slovenia, South Africa, Sudan, Sweden, Switzerland, Togo, Tunisia, Turkey, United Arab Emirates, United Kingdom, Uruguay, Uzbekistan, Viet Nam and Zimbabwe. http://www.itu.int/cgi-bin/htsh/mm/scripts/mm.final-acts.list?_languageid=1&_agrmts_type=PROT-92 (accessed: 10 October 2010).

submitted for compulsory arbitration. The procedure to be followed is laid down in Article 41 of the Convention, paragraph 5 (No. 511) of which shall be amplified as follows:

"5. Within three months from the date of receipt of the notification of the submission of the dispute to arbitration, each of the two parties to the dispute shall appoint an arbitrator. If one of the parties has not appointed an arbitrator within this time-limit, this appointment shall be made, at the request of the other party, by the Secretary-General who shall act in accordance with Nos. 509 and 510 of the Convention."

ARTICLE 2

This Protocol shall be open to signature by Members at the same time as they sign the Constitution and the Convention. It shall be ratified, accepted or approved by any Signatory Member in accordance with its constitutional rules. It may be acceded to by any Members parties to the Constitution and the Convention and by any States which become Members of the Union. The instrument of ratification, acceptance, approval or accession shall be deposited with the Secretary-General.

ARTICLE 3

This Protocol shall come into force for the Parties hereto, who have ratified, accepted, approved or acceded to it, on the same date as the Constitution and the Convention, provided that at least two instruments of ratification, acceptance, approval or accession in its respect have been deposited on that date. Otherwise, it shall come into force on the thirtieth day after the date on which the second instrument of ratification, acceptance, approval or accession is deposited.

ARTICLE 4

This Protocol may be amended by the Parties hereto during a Plenipotentiary Conference of the Union.

ARTICLE 5

Each Member party to this Protocol may denounce it by a notification addressed to the Secretary-General, such denunciation taking effect at the expiration of a period of one year from the date of receipt of its notification by the Secretary-General.

ARTICLE 6

The Secretary-General shall notify all Members:

- a) of the signatures appended to this Protocol and of the deposit of each instrument of ratification, acceptance, approval or accession;
- b) of the date on which this Protocol shall have come into force;
- c) of the date of entry into force of any amendment;
- d) of the effective date of any denunciation.

IN WITNESS WHEREOF, the respective Plenipotentiaries have signed this Protocol in each of the Arabic, Chinese, English, French, Russian and Spanish languages, in a single copy within which, in case of discrepancy, the French text shall prevail, and which shall remain deposited in the archives of the International Telecommunication Union, which shall forward a copy to each of the signatory countries.

Done at Geneva, 22 December 1992

Annex 3

Radio Regulations of the International Telecommunication Union¹⁸

ARTICLE 15: Interferences

Section I - Interference from Radio Stations

15.1 § 1 All stations are forbidden to carry out unnecessary transmissions, or the transmission of superfluous signals, or the transmission of false or misleading signals, or the transmission of signals without identification (except as provided for in Article 19).

15.2 § 2 Transmitting stations shall radiate only as much power as is necessary to ensure a satisfactory service.

15.3 § 3 In order to avoid interference (see also Article 3 and No. 22.1):

15.4 a) locations of transmitting stations and, where the nature of the service permits, locations of receiving stations shall be selected with particular care;

15.5 b) radiation in and reception from unnecessary directions shall be minimized by taking the maximum practical advantage of the properties of directional antennae whenever the nature of the service permits;

15.6 c) the choice and use of transmitters and receivers shall be in accordance with the provisions of Article 3;

15.7 d) the conditions specified under No. 22.1 shall be fulfilled.

15.8 § 4 Special consideration shall be given to avoiding interference on distress and safety frequencies, those related to distress and safety identified in Article 31 and those related to safety and regularity of flight identified in Appendix 27. (WRC-07)

¹⁸ As of 10 October 2010, there are 192 States Parties to the ITU Regulations.

15.9 § 5 The class of emission to be employed by a station should be such as to achieve minimum interference and to assure efficient spectrum utilization. In general this requires that in selecting the class of emission to meet these objectives every effort shall be made to minimize the bandwidth occupied, taking into account the operational and technical considerations of the service to be performed.

15.10 § 6 The out-of-band emissions of transmitting stations should not cause harmful interference to services which operate in adjacent bands in accordance with these Regulations and which use receivers in conformity with Nos. **3.3, 3.11, 3.12, 3.13** and relevant ITU-R Recommendations.

15.11 § 7 If, while complying with the provisions of Article **3**, a station causes harmful interference through its spurious emissions, special measures shall be taken to eliminate such interference.

Section II - Interference from electrical apparatus and installations of any kind except equipment used for industrial, scientific and medical applications

15.12 § 8 Administrations shall take all practicable and necessary steps to ensure that the operation of electrical apparatus or installations of any kind, including power and telecommunication distribution networks, but excluding equipment used for industrial, scientific and medical applications, does not cause harmful interference to a radiocommunication service and, in particular, to a radionavigation or any other safety service operating in accordance with the provisions of these Regulations¹.

¹ **15.12.1** and **15.13.1** In this matter, administrations should be guided by the latest relevant ITU-R Recommendations.

Section III - Interference from equipment used for industrial, scientific and medical applications

15.13 § 9 Administrations shall take all practicable and necessary steps to ensure that radiation from equipment used for industrial, scientific and medical applications is minimal and that, outside the bands designated for use by this equipment, radiation from such equipment is at a level that does not cause harmful interference to a radiocommunication service and, in particular, to a radionavigation or any other safety service operating in accordance with the provisions of these Regulations¹.

Section IV - Tests

15.14 § 10 1) Before authorizing tests and experiments in any station, each administration, in order to avoid harmful interference, shall prescribe the taking of all possible precautions such as the choice of frequency and of time and the reduction or, in all cases where this is possible, the suppression of radiation. Any harmful interference resulting from tests and experiments shall be eliminated with the least possible delay.

15.15 2) For the identification of transmissions made during tests, adjustments or experiments, see Article 19.

15.16 3) In the aeronautical radionavigation service, it is undesirable, for safety reasons, to transmit the normal identification during emissions conducted to check or adjust equipment already in service. Unidentified emissions should however be restricted to a minimum.

15.17 4) Signals for testing and adjustment shall be chosen in such a manner that no confusion will arise with a signal, abbreviation, etc., having a special meaning defined by these Regulations or by the International Code of Signals.

15.18 5) For testing stations in the mobile service see No. 57.9.

Section V - Reports of Infringements

15.19 § 11 Infringements of the Constitution, Convention or Radio Regulations shall be reported to their respective administrations by the control organization, stations or inspectors detecting them. For this purpose they shall use forms similar to the specimen given in Appendix 9.

15.20 § 12 Representations relating to any serious infringement committed by a station shall be made to the administration of the country having jurisdiction over the station, by the administrations which detect it.

15.21 § 13 If an administration has information of an infringement of the Convention or Radio Regulations, committed by a station over which it may exercise authority, it shall ascertain the facts, fix the responsibility and take the necessary action.

Section VI - Procedure in a case of harmful interference

15.22 § 14 It is essential that Member States exercise the utmost goodwill and mutual assistance in the application of the provisions of Article 45 of the Constitution and of this Section to the settlement of problems of harmful interference.

15.23 § 15 In the settlement of these problems, due consideration shall be given to all factors involved, including the relevant technical and operating factors, such as: adjustment of frequencies, characteristics of transmitting and receiving antennae, time sharing, change of channels within multichannel transmissions.

15.24 § 16 For the purpose of this Section, the term "administration" may include the centralizing office designated by the administration, in accordance with No. **16.3**.

15.25 § 17 Administrations shall cooperate in the detection and elimination of harmful interference, employing where appropriate the facilities described in Article **16** and the procedures detailed in this Section.

15.26 § 18 Where practicable, and subject to agreement by administrations concerned, the case of harmful interference may be dealt with directly by their specially designated monitoring stations or by direct coordination between their operating organizations.

15.27 § 19 Full particulars relating to harmful interference shall, whenever possible, be given in the form indicated in Appendix 10.

15.28 § 20 Recognizing that transmissions on distress and safety frequencies and frequencies used for the safety and regularity of flight (see Article 31 and Appendix 27) require absolute international protection and that the elimination of harmful interference to such transmissions is imperative, administrations undertake to act immediately when their attention is drawn to any such harmful interference. (WRC-07)

15.29 § 21 In cases of harmful interference where rapid action is required, communications between administrations shall be transmitted by the quickest means available and, subject to prior authorization by the administrations concerned in such cases, information may be exchanged directly between specially designated stations of the international monitoring system.

15.30 § 22 When a case of such harmful interference is reported by a receiving station, it shall give to the transmitting station whose service is being interfered with all possible information which will assist in determining the source and characteristics of the interference.

15.31 § 23 If a case of harmful interference so justifies, the administration having jurisdiction over the receiving station experiencing the interference shall inform the administration having jurisdiction over the transmitting station whose service is being interfered with, giving all possible information.

15.32 § 24 If further observations and measurements are necessary to determine the source and characteristics of and to establish the responsibility for the harmful

interference, the administration having jurisdiction over the transmitting station whose service is being interfered with may seek the cooperation of other administrations, particularly of the administration having jurisdiction over the receiving station experiencing the interference, or of other organizations.

15.33 § 25 When cases of harmful interference occur as a result of emissions from space stations, the administrations having jurisdiction over these interfering stations shall, upon request from the administration having jurisdiction over the station experiencing the interference, furnish current ephemeral data necessary to allow determination of the positions of the space stations when not otherwise known.

15.34 § 26 Having determined the source and characteristics of the harmful interference, the administration having jurisdiction over the transmitting station whose service is being interfered with shall inform the administration having jurisdiction over the interfering station, giving all useful information in order that this administration may take such steps as may be necessary to eliminate the interference.

15.35 § 27 On being informed that a station over which it has jurisdiction is believed to have been the cause of harmful interference, an administration shall, as soon as possible, acknowledge receipt of that information by the quickest means available. Such acknowledgement shall not constitute an acceptance of responsibility. (WRC-2000)

15.36 § 28 When a safety service suffers harmful interference the administration having jurisdiction over the receiving station experiencing the interference may also approach directly the administration having jurisdiction over the interfering station. The same procedure may also be followed in other cases with the prior approval of the administration having jurisdiction over the transmitting station whose service is being interfered with.

15.37 § 29 An administration receiving a communication to the effect that one of its stations is causing harmful interference to a safety service shall promptly investigate the

matter and take any necessary remedial action and respond in a timely manner. (WRC-2000)

15.38 § 30 When the service rendered by an earth station suffers harmful interference, the administration having jurisdiction over the receiving station experiencing such interference may also approach directly the administration having jurisdiction over the interfering station.

15.39 § 31 If the harmful interference persists in spite of the action taken in accordance with the procedures outlined above, the administration having jurisdiction over the transmitting station whose service is being interfered with may address to the administration having jurisdiction over the interfering station a report of irregularity or infraction in accordance with the provisions of Section V.

15.40 § 32 If there is a specialized international organization for a particular service, reports of irregularities and of infractions relating to harmful interference caused or suffered by stations in this service may be addressed to such organization at the same time as to the administration concerned.

15.41 § 33 1) If it is considered necessary, and particularly if the steps taken in accordance with the procedures described above have not produced satisfactory results, the administration concerned shall forward details of the case to the Bureau for its information.

15.42 2) In such a case, the administration concerned may also request the Bureau to act in accordance with the provisions of Section I of Article 13; but it shall then supply the Bureau with the full facts of the case, including all the technical and operational details and copies of the correspondence.

15.43 § 34 1) In the case where an administration has difficulty in identifying a source of harmful interference in the HF bands and urgently wishes to seek the assistance of the Bureau, it shall promptly inform the Bureau.

15.44 2) On receipt of this information, the Bureau shall immediately request the cooperation of appropriate administrations or specially designated stations of the international monitoring system that may be able to help in identifying the source of harmful interference.

15.45 3) The Bureau shall consolidate all reports received in response to requests under No. **15.44** and, using such other information as it has available, shall promptly attempt to identify the source of harmful interference.

15.46 4) The Bureau shall thereafter forward its conclusions and recommendations to the administration reporting the case of harmful interference. These shall also be forwarded to the administration believed to be responsible for the source of harmful interference, together with a request for prompt action.