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RADIO SPECTRUM POLICY GROUP

Progress Report of the RSPG Sub-Group

on “Good offices” to assist in bilateral negotiations between Member States

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Progress Report of the RSPG Sub-Group on

“Good offices” to assist in bilateral negotiations between Member States

The “Good offices” Sub-Group (SG) met virtually on the 6th November 2023 and the 11th January 2024 since the 62nd meeting of the Radio Spectrum Policy Group. The discussions continued assessing progress made on the various cross-border coordination issues which are being considered within the SG. The reports of these meetings are annexed to this progress report and an executive summary of the key discussion points is being provided below.

1. FM harmful interference around Italy

Pursuant to Legislative Decree 207/2021 Italy established a working group which is developing a report based on which actions will be taken to resolving cross-border FM harmful interference problems. The report will also include a set of guidelines to clarify how the relevant rules governing the use of radio spectrum must be applied in practice. Italy clarified that some of the proposed actions of the report will only require internal approval, whilst some others, such as those concerning the application of a compensation scheme, will be subject to political consideration.

The report is still in draft form (stable draft) and is expected to be discussed at the Ministry’s level by end January 2024. Following its approval, the actions detailed in the report will be implemented with immediate effect, noting that such actions may have different implementation timeframes depending on their complexity and non-technical considerations. Additional meetings of the Italian working group are foreseen with the aim to finalise the report.

At the last SG meeting, the concerned Member States expressed their disappointment that the finalisation of the Italian working group report was once again subject to additional delays. It was suggested that the draft report should be submitted to the European Commission (EC) for examination and that the EC should alert the Italian political level so that the concrete actions of the report will progress effectively. The EC reported that it is considering the compatibility of Italy’s actions with EU law and that the possibility for the EC in initiating an infringement procedure is not excluded.

The SG urged Italy to finalise their working group report as soon as possible so that actions are taken to resolve the long outstanding FM harmful interference problems which are affecting neighbouring countries.

It should be underlined that in the current circumstances it was not possible for the SG to start discussing a roadmap addressing the FM harmful interference problems of Croatia and Slovenia as per the direction given by RSPG #59 (November 2022).

1.1 Interference affecting France

Italy and France had bilateral discussions to resolve FM related issues including the pending case of harmful interference affecting the French FM station in Bonifacio (Corsica) on 88.3 MHz.

The bilateral discussions focused on French notifications to modify the GE84 agreement, where only a limited number of these notifications were so far provisionally agreed to by Italy. France requested Italy to provide a comprehensive and accurate data set of FM Italian stations since this will serve as the basis to conduct the compatibility assessment of French and Italian stations. In addition, a common approach concerning the methodology being adopted for this assessment was in the process of being established, and this was relevant to making progress to the Bonifacio interference case.

The bilateral discussions are ongoing and an additional bilateral meeting will be taking place in February.

1.2 Interference affecting Malta

No developments were reported by Malta on the pending FM interference cases.

Additional measurement data of FM harmful interferences was provided to Italy and this was still being analysed.

1.3 Interference affecting Slovenia

The FM harmful interference situation in Slovenia is unchanged and Slovenia expressed its frustration on the lack of progress in resolving any of the interference cases, including those of the priority list. It requested the EC to intervene through legal means against Italy.

Regarding interference cases forming part of the priority list, Italy considered important to first define the complete set of actions that could possibly be undertaken in line with the work of their working group.

1.4 Interference affecting Croatia

No progress was reported by Croatia to the FM harmful interference situation and expressed disappointment that no single interference case, including those included in the priority list, has been resolved.

Croatia reported that in October 2023, it compiled more than 700 FM harmful interference reports and around 1,000 Appendix 10 forms which were subsequently sent to Italy and the ITU. Italy will be considering these reports in the frame of the actions being formulated in the working group report.

2. DAB interference around Italy

2.1 Interference affecting Malta

The DAB interference case reported by Malta in around mid-2023 concerning frequency block 12C has been resolved. This positive development resulted from a joint activity carried out both countries which led to identify the Italian DAB transmitter affecting Malta. As a result, the Italian operator migrated its transmissions to an alternate frequency resource.

2.2 Interference affecting Croatia and Slovenia

No progress was made on the reported cases of DAB harmful interference reported by both Croatia and Slovenia.

In the November 2023 meeting of the SG, the co-chairs clarified the state-of-play of frequency blocks 7C and 7D as registered in the GE06, where:

- VHF channel 7: Italy has various allotments/assignments for TV use, whilst San Marino has a low power TV assignment;
- Frequency block 7C: No assignments/allotments are registered to Croatia, Italy and Slovenia; and
- Frequency block 7D: Croatia has one allotment and Italy has two low power assignments in the central part of the country, which may be of relevance to Croatia.

Italy still considered using frequency blocks 7C and 7D temporarily to resolve this interference since in its view, this solution had no impact on neighbouring countries. Croatia and Slovenia confirmed their disagreement to this solution and in particular to situations where frequency resources are used without receiving the frequency coordination agreements of the concerned countries. Preference was expressed to a solution based on either Italy's GE06's rights or the draft DAB regional agreement for the Adriatic and Ionian region. For Italy, a solution based on the latter option was not deemed appropriate since the said regional agreement was not final as yet.

In the circumstances, the SG reaffirmed that the instrument to resolve the DAB interference problem is the regional agreement being developed for the Adriatic and Ionian region and urged the parties to reconvene so that progress may be made towards finalising the agreement. Italy kindly offered to liaise with the group to find a suitable date for a meeting.

3. Update on the development of the Adriatic and Ionian regional agreement for DAB

No progress was made on the finalisation of the DAB regional agreement for the Adriatic and Ionian group since the group reconvened last in December 2022. Nonetheless, in the interim period, the SG encouraged the parties to find solutions to the various open issues, which are being summarised below.

3.1 Issues between Italy and Slovenia

The position taken by Slovenia due to a lack of common understanding of ITU rules was discussed in an ad-hoc meeting held in October 2023 which led to identifying a potential solution. This solution will require Italy to publish guidelines on how the ITU rules should be respected in Italy. The solution was deemed valid by Slovenia and subsequently also considered positively by Italy. Italy confirmed that the guidelines are foreseen to be included in the report being developed by the Italian working group dealing with FM interference and expects that Slovenia's concerns will be adequately addressed by the published guidelines.

Another issue raised by Slovenia concerns its notifications to add FM stations in the GE84 plan. Whilst Italy considers that this specific matter should not condition the signature of the DAB agreement, Slovenia considers imperative to find technical solutions to close-off this outstanding matter.

3.2 Issues between Italy and Montenegro

Bilateral talks took place between Italy and Montenegro to address a frequency coordination issue concerning Montenegro's assignment at Bjalasica. This issue has been resolved to the satisfaction of both parties.

3.3 Issues around North Macedonia

The process initiated by North Macedonia to re-plan the VHF band is still ongoing. This process is expected to result in improved spectrum efficiencies and will facilitate frequency coordination discussions with neighbouring countries. In this context, North Macedonia was encouraged to finalise this process in due time so that frequency coordination discussions be undertaken. In this regard it was suggested that the outcome of the process be shared with the members of the Adriatic and Ionian group to allow them to identify any compatibility issues with North Macedonia's plan.

It should be noted that that North Macedonia expressed its availability to cooperate with all the concerned countries but emphasised on the importance of equal treatment to frequency coordination requests.

4. 700 MHz interference

The SG continued discussing the two reported cases of television interference affecting the provision of wireless broadband electronic communications services in the 700 MHz band.

As regards the interference affecting Italian mobile network operators, Italy carried out measurements where significant interference on the 700 MHz band (i.e. on TV channels 53, 57, 58 and 60) was observed. Italy will be submitting the ITU Appendix 10 forms to Albania so that potential solutions may be identified and discussed with the relevant operator.

The mobile services of North Macedonia in the 700 MHz band are also affected by the television transmissions of Albania, and this problem was reported in October 2022. Although a transitory arrangement to resolve the interference caused by TV transmissions on channel 51 was implemented, solutions still need to be found to resolve the remaining interference caused by two other TV channels of Albania. Albania was not in a position to provide a date when this problem will be resolved but potential solutions were being analysed which may be adopted prior to releasing the 700 MHz band for mobile services.

Albania was urged to resolve this interference case.

5. External related issues

- Cyprus - Türkiye: Cyprus still has frequency coordination difficulties with Türkiye as regards the sub-700 MHz band. This matter continues to be discussed by the EC with Türkiye.
- North Macedonia - Albania, Bulgaria and Greece: No progress was made on the pending FM frequency coordination issues North Macedonia has with its neighbouring countries, namely, Albania, Bulgaria and Greece.

These concerned countries are requested to enter into a dialogue with North Macedonia so that progress may be made on the pending FM frequency coordination issues.

The SG held a discussion (limited to participating EU Member States and EC representatives) on the cross-border frequency coordination issues which certain EU member states have with the Russian Federation, Belarus and Ukraine as regards the 700 MHz and 3.4-3.8 GHz 5G pioneer bands. The discussions provided updated information on these issues.

6. Date of next meeting

The SG will be holding its next meetings on the 26th March 2024 (09:30-12:30hrs.) in virtual format.

ANNEX I

REPORT

RSPG SUB-GROUP

“Good offices” to assist in bilateral negotiations between Member States

Web meeting, 6th November 2023

The co-chairs welcomed the participants to the meeting of the RSPG Sub-Group of the ‘good offices’. They explained that the scope of the meeting was to assess progress made since the last Sub-Group meeting held in September and to encourage the taking of any necessary action prior to the next Sub-Group meeting, planned to be held on the 11th January 2024.

The draft agenda of the meeting was then considered and subsequently approved. Following a proposal made by the EC representative it was agreed that the draft agenda of the next ‘Good offices’ meeting will include a new item to specifically discuss cross-border frequency coordination issues with the Russian Federation, Belarus and Ukraine, affecting the Baltic States and Poland. As background, it was noted that in the past, meetings with the same scope used to be held between these EU Member States, the EC, permanent representatives and national experts. The EC considered to be more appropriate if such discussions are held within the frame of the RSPG ‘good offices’ and this arrangement will provide better efficiencies and more transparency in a confidential setting. Consequently, the respective EU Member states will be informed on the discussion to be taking place at the next SG meeting on this proposal so that a decision may be made in the presence of all concerned parties. Hungary and possibly Slovakia also have an interest to participate in these discussions.

1. **FM interference around Italy**

Update from Italy on work done by the working group dealing with FM interference

Italy stated that the working group established under Legislative Decree 207/2021 has not yet finalised the draft report, but was working to complete it before the start of the 2023 World Radiocommunication Conference (WRC-23).

Italy-France

Italy provided updated information on the latest bilateral discussions which took place with France. Regarding the French notifications for FM stations in Corsica, Italy started studying those notifications which are considered less complex. Italy indicated that some limited cases may be accepted in view of their compatibility with the Italian situation. For some other cases Italy may request France to modify the technical characteristics of the stations. The most

complex cases are expected to be discussed in a bilateral meeting to be held on the 9th November 2023.

Italy was still trying to find solutions to four French stations operating from Elba Island, without an Italian authorisation. Whilst a solution based on article 18.2 of the ITU Radio Regulations was still being considered, Italy first needed to determine whether these stations can be authorised pursuant to Italian law. Nonetheless, Italy expressed confidence that a solution will be found on how to regularise the position of these stations.

France agreed with the information conveyed by Italy and added that the agreement which Italy provided to some of the French notifications was still provisional but expected that the situation will be confirmed at the next meeting. Both parties still need to agree on the method on how to assess compatibility and this is relevant to address the Bonifacio interference case. The submission by Italy of the database of authorised stations was received but this was limited to stations located in North Sardinia. France requested Italy to make available additional datasets also for South Sardinia and other relevant areas since this was very important in the context of the studies being undertaken.

France stressed that the discrepancy between Italy's international rights under the GE84 and what is currently in operation is out of proportion as regards access to radio spectrum. The situation was not acceptable and was hopeful that a solution may be found on the basis of the work being done by the Italian working group.

Regarding the request for the submission of additional datasets, Italy confirmed that it was working towards making available the requested data as soon as possible.

Italy-Malta

Malta did not report any progress to the interference situation, but requested Italy to provide information on the status of the studies being undertaken on the basis of FM interference data that was provided prior to the previous Sub Group meeting.

Italy confirmed that the matter was still being studied and requested Malta to provide updated measurement results. Malta committed to provide this information prior to WRC-23.

Italy-Slovenia

Slovenia did not report any progress to the interference situation since none of the reported harmful interference cases were resolved. Slovenia reiterated that the current situation can no longer be tolerated and requested the EC to intervene since only through legal means the situation will improve.

Regarding activities addressing the priority cases of harmful interference (in line with previous discussions), Italy considered important to first define the complete set of actions that could possibly be undertaken to resolve FM interferences, and these actions will be included in the report being prepared by the Italian working group. Italy, however, recognised the importance

to focus efforts on the priority cases of harmful interference. Any actions that will be done by Italy will try to mitigate possible litigation cases with the operators.

Italy-Croatia

No progress was reported by Croatia to the FM harmful interference situation and expressed disappointment that no single interference case has been addressed by Italy.

Croatia reported that in October 2023, more than 700 harmful interference reports for FM and around 1,000 Appendix 10 forms were sent to the ITU and Italy.

The EC representative re-iterated aspects concerning the application of EU and international law and to, in particular, the application of article 45 of the EECC which entered into force quite recently. For this reason, it was expected that Italian courts will treat new litigation cases differently than what was done in the past.

It was emphasised on the importance to bring an end to the current harmful interference situation and on the need to find and subsequently implement effective solutions soonest. The Sub Group was hopeful that the report being finalised by the Italian working group will provide effective remedies to the long outstanding FM interference problem.

2. DAB interference around Italy

Italy-Malta

It was reported that following the Sub-Group meeting held in September 2023 a joint activity was carried out between Italy and Malta which led to identify the Italian DAB transmitter affecting Malta on frequency block 12C. As a result, the Italian operator migrated its transmissions to an alternate frequency block and Malta was now monitoring the situation to establish whether this interference case has been completely resolved. Malta thanked Italy for its cooperation in resolving this matter.

Clarifications on the status of frequency blocks 7C and 7D in the GE06

Frequency blocks 7C and 7D were identified by Italy as the only means to resolve interference problems reported by Slovenia and Croatia on DAB in the immediate term, and outside the frame of the regional DAB agreement for the Adriatic and Ionian region. Following the September 2023 Sub Group meeting some administrations expressed disagreement on the status of these two frequency blocks as registered in the GE06.

Consequently, the co-chairs, on the basis of information published in BR IFIC No. 3006 presented the status of VHF channel 7 and the corresponding DAB frequency blocks as registered for use in Croatia, Italy and Slovenia in the GE06. Those GE06 registrations for San Marino were also considered in view of their bi-lateral arrangement with Italy (refer to Annex 1 which includes a copy of the presentation).

In summary, the co-chairs stated that in the GE06:

- VHF channel 7: Italy has various allotments/assignments for TV use, whilst San Marino has a low power TV assignment;
- Frequency block 7C: no assignments/allotments are registered to Croatia, Italy and Slovenia; and
- Frequency block 7D: Croatia has one allotment and Italy has two low power assignments in the central part of the country which may be of relevance to Croatia.

Croatia supported the presentation given and stated that the use of any frequency block was conditional on the outcome of frequency coordination with all relevant countries. Slovenia expressed similar views and added that close to the Slovenian border (in the Friuli-Venezia Giulia and Veneto regions), several high-power Italian transmitters were operating on frequency block 7D. This act was in violation of the GE06 agreement since neither Croatia nor Slovenia granted their agreement to Italy to use this frequency resource.

In response Italy clarified that the priority was to resolve DAB interference and the solution for using frequency blocks 7C and 7D was temporary until signature of the regional DAB agreement. Italy reiterated statements made in previous meetings that it will not be seeking for the formal registration of the relevant stations using 7C/7D temporarily in the GE06. Italy stated that the technical details of its temporary stations on 7C/7D were already shared with Croatia and Slovenia and invited these countries to reconsider granting their approval, which will remain valid until signature of the regional DAB agreement as aforesaid. Italy emphasised that finalising the regional agreement remains a priority.

Slovenia expressed concerns to the fact that whilst Italy stated that it will be respecting the GE06, its actions show otherwise since it granted authorisations to use frequency blocks which did not enjoy the frequency coordination agreement of neighbouring countries. Slovenia reconfirmed its position that it does not agree with Italy's proposals to use 7C and 7D since it considered more appropriate for Italy to use any of its vacant GE06 frequency blocks or those that are envisaged to be used under the regional DAB agreement. Slovenia noted that its requests for clarifications to Italy to state which channels are envisaged to be used after signature of the DAB regional agreement remain unanswered. Slovenia confirmed its interest to use the same frequency blocks during the transition period.

Croatia expressed the same view that the regional DAB agreement will resolve interference problems and provide stability on how the VHF band will be used. It reiterated that it will not tolerate the putting into operation of broadcasting transmitters without any prior coordination. Croatia stated that Italy was not respecting this practice and had concerns that the VHF band for DAB will become similar to the FM band.

In conclusion it was once again reaffirmed the importance of finalising the regional DAB agreement in the VHF band since this is expected to resolve the interference problems under discussion.

3. Update on the development of the Adriatic and Ionian regional agreement for DAB

Italy-Slovenia

On the 10th October 2023, a bilateral meeting moderated by the Sub Group co-chairs and with the EC's participation was held between Italy and Slovenia. The objective of the meeting was to identify solutions on how Italy and Slovenia may reach a common understating on the application of ITU rules. The discussions led to the identification of a potential solution which was deemed valid by Slovenia but required further consideration by Italy.

Italy stated that the solution proposed at that meeting was considered positively and adopting guidelines on how the ITU rules shall be respected was deemed feasible. This solution will form part of the report being prepared by the Italian working group and Italy was hopeful that it will solve the bilateral issues with Slovenia in relation to the signature of the DAB agreement. Italy requested the other members to provide information on whether they adopted similar guidelines on how ITU rules are being respected.

The EC representative stated that the EC adopted guidelines which are in place for instance under competition law, where the EC states its position on the interpretation of the relevant legal frameworks.

Italy-Montenegro

Montenegro and Italy confirmed that the frequency coordination issue concerning Montenegro's assignment at Bjelasica was resolved following bilateral discussions held on the 23rd October.

Montenegro provided a detailed explanation on how this issue was addressed and thanked Italy for their cooperation and for considering Montenegro's position on this issue (as presented in previous meetings of the 'Good offices'). As a result Italy carried out additional analysis using various software tools, including software provided by the ITU which assessed all possible propagation options, namely those provided by Recommendations ITU-R P.1812-5, P.1812-6 and P.1546-6. It was noted that the assessments for P.1812-5 and P.1812-6 were highly dependent on certain criteria, especially the radius of the Earth and tropo-scatter interference, and provided inconsistent results. However, the assessments by all software tools for P.1546-6 provided similar results, which confirmed that the assignment at Bjelasica met the conditions of the regional DAB agreement. Italy and Montenegro agreed that this assignment should be recognised in the regional DAB agreement as an assignment with conditional use and that compatibility was reached with P.1546-6.

Montenegro confirmed that their first national DAB+ multiplex is planned to be put in operation in 2024 and frequency blocks 12C and 11A will be used inside and outside the buffer zone with Italy, respectively. Montenegro's plans for DAB include measures which limit risks of causing cross-border harmful interference.

Italy, Croatia and Montenegro exchanged opinions on Annex 5 of the draft regional DAB agreement which will include a list of the frequency assignments that have been agreed to between the parties. This matter concerned the countries of the Adriatic and Ionian group which were invited to reconvene to discuss this specific matter and other pending issues which once resolved, will facilitate reaching consensus on the final text of the regional DAB agreement.

North Macedonia

North Macedonia informed the Sub Group that the re-planning process of the VHF band was still ongoing and that various analyses and internal consultations were being carried out. In this process consideration was being given to the fact that no progress was achieved on the frequency coordination issues that North Macedonia already raised with its neighbouring countries. North Macedonia reiterated on the importance of equal treatment but expressed its availability to cooperate in order not to block the process being undertaken by the Adriatic and Ionian group concerning the VHF band. North Macedonia will be preparing a document for public consultation, but in the interim period, its proposals as well as proposals made at the 'Good Offices' will be sent to Italy so that the necessary compatibility calculations may be carried out.

Italy confirmed that the requested assessment was not undertaken but suggested that North Macedonia shall share its proposals with all the members of the Adriatic and Ionian countries to allow them to identify any compatibility issues.

It was also deemed appropriate to share the proposals of North Macedonia and any received proposals also with other affected countries in the region. The co-chairs will be supporting North Macedonia in this process.

4. 700 MHz interference

Albania-Italy

Italy reported that it still needs to submit the Appendix 10 interference reports to Albania. These reports are expected to be submitted in the near future.

Albania-North Macedonia

North Macedonia referred to its 700 MHz interference reports submitted to Albania in October 2022. It urged Albania to take the necessary action so that this interference, which is affecting mobile network operators, will be resolved.

In response Albania stated that it adopted a transitory measure to migrate television services from channel 51. A similar process to migrate the other television channels is being considered. No exact date was provided when Albania expects to implement the transition plan for the other TV channels affecting North Macedonia.

The EC stated that they are following closely this matter since it falls within the accession negotiation discussions.

5. External related issues

- Cyprus-Turkey: Cyprus still has frequency coordination difficulties with Turkey as regards the sub-700 MHz band. The EC representative stated that this matter continues to be discussed with Turkey.
- North Macedonia (FM band): No progress was reported on the pending FM frequency coordination issues North Macedonia has with its neighbouring countries Albania, Greece and Bulgaria despite that at RSPG#62 the co-chairs specifically requested Greece and Bulgaria to address this matter.
- Albania-North Macedonia: Reference was made to discussions held in previous Sub Group meetings concerning the finalisation of a frequency coordination agreement for the use of radio spectrum in the sub-700MHz band. North Macedonia asked about the time-period which is required for solving this open issue. North Macedonia noted that this problem was raised at a high political level.

Albania stated that it was still considering North Macedonia's request but for the time being, it was not in a position to hold bilateral talks on this specific issue.

- Albania-Montenegro: Montenegro stressed on the importance of establishing a bilateral frequency coordination agreement for the 470-694 MHz band between Albania and Montenegro, bearing in mind that this activity, despite the efforts and compromises reached so far, has not been completed. In this regard Montenegro proposed to hold bilateral discussions on this issue in the period after WRC-23 at the earliest convenience.

Albania stated that it was still considering Montenegro's request but for the time being, it was not in a position to hold bilateral talks on this specific issue.

6. Any other business

Nil.

7. Date of next meetings

The Sub Group confirmed that its next meeting will be held on the 11th January 2024 (09:30-12:30hrs).

Annex 1 – Status of VHF channel 7 in the GE06 plan

Status of VHF channel 7 in the GE06 plan

Based on information published in BR IFIC No. 3006
(dated 03.10.2023)

Clarifications made by the RSPG 'Good offices' co-chairs to the
Sub Group meeting held on the 6th November 2023

Purpose

- To clarify the status of VHF channel 7 and frequency blocks 7A, 7B, 7C and 7D as registered in the GE06 plan for Croatia, Italy and Slovenia

Remarks

- San Marino has an agreement with Italy, and their assignments/allotments were also considered
- Assignments or allotments which are not fully coordinated (i.e. ADD status) were not considered

VHF channel 7 – 191.5 MHz



Various allotments and assignments for TV use in Italy, some of which fall in the areas relevant to Croatia

Italy's assignment in the central part of Italy (Gualdo Tadino) has an erp of 24dBW

San Marino has one TV assignment (Funrocca1) with a maximum erp of 20dBW

VHF frequency block 7A – 188.928 MHz



7A is designated to be used by Slovenia, with two allotments and several linked assignments

Italy has some assignments in the central part of Italy, which are not relevant to Slovenia

VHF frequency block 7B – 190.640 MHz



7B is only allocated for use in Croatia (allotment ID HRR5602)

VHF frequency block 7C – 192.352 MHz

NO
allotments or assignments
are currently registered to Croatia, Italy or Slovenia
in the GE06 plan

VHF frequency block 7D – 194.064 MHz



One allotment for Croatia (reference HRR6202)

Several assignments for Italy, but most of which are located outside the coordination area

Italy's assignments most relevant to Croatia:

- AQ-FONTE CERRETO (22dBW erp)
- AQ-PIERRASECCA (20dBW erp)

Summary

Frequency block 7C

Croatia, Italy and Slovenia have no right of use of VHF frequency block 7C unless they successfully complete a coordination procedure with all neighbouring countries

Frequency block 7D

- Croatia has one allotment without linked assignments
- Slovenia has no GE06 plan entries
- Italy's rights in the relevant areas is limited to stations registered at **AQ-FONTE CERRETO** (22dBW erp) and **AQ-PIERRASECCA** (20dBW erp). Such use shall also be in line with the technical parameters registered in the GE06.

Remarks

TV assignments registered in MIFR, may also be used for DAB by applying a correction factor to the erp of 6.371 dB. This is in accordance with the ITU Rules of Procedure.

List of participants

No. of participants: 25

Country	Organisation
Albania	Authority for Audiovisual Media (AMA)
	Ministry of Infrastructure and Energy
Austria	Austrian Regulatory Authority for Broadcasting and Telecommunications (RTR)
Croatia	Croatian Regulatory Authority for Network Industries (HAKOM)
Finland	Finnish Transport and Communications Regulatory Authority (TRAFICOM)
France	French National Frequency Agency (ANFR)
Hungary	National Media and Infocommunications Authority (NMHH)
Greece	Ministry of Digital Governance
Italy	Ministry of Enterprises and Made in Italy (MIMIT)
	Italian Communications Regulatory Authority (AGCOM)
Latvia	Ministry of Transport, Electronic Communications Department
Lithuania	Communications Regulatory Authority of the Republic of Lithuania (RRT)
Malta	Malta Communications Authority (MCA)
Montenegro	Agency for Electronic Communications and Postal Services of Montenegro (EKIP)
North Macedonia	Agency for Electronic Communications (AEC)
Slovenia	Agency for Communication Networks and Services of the Republic of Slovenia (AKOS)
	Ministry of Digital Transformation
-	European Commission

ANNEX II**REPORT****RSPG SUB-GROUP**

“Good offices” to assist in bilateral negotiations between Member States

Web meeting, 11th January 2024

The co-chairs welcomed the participants to the meeting of the RSPG Sub-Group of the ‘good offices’. The draft agenda of the meeting was then considered and subsequently approved.

1. FM interference around Italy***Update from Italy on work done by the working group dealing with FM interference***

Italy reported that the working group established under Legislative Decree 207/2021 has not yet completed its work. A stable draft report was compiled and in the process of being finalised. The draft report started to be shared at higher levels of the Ministry. At this stage it was envisaged that some of the actions described in the report only required internal approval, whilst some others, such as those concerning compensation schemes, will be subject to political consideration. Additional working group meetings will be held to finalise the report and to resolve any remaining issues, thereby ensuring that the proposed measures are feasible.

Italy emphasised that this report would serve as the basis for taking actions to resolve cross-border harmful interference problems. The report will also include a set of guidelines to clarify how the relevant European and internal rules governing the use of radio spectrum must be applied in practice.

Italy foresees to discuss the final draft report with the Ministry by end January 2024, so that some actions can start to be implemented with immediate effect once the report is approved. Nonetheless, Italy clarified that the actions of the report may have different implementation timeframes depending on their complexity and non-technical considerations.

Noting that the draft report of the Italian working group cannot be shared, the Sub Group suggested that the report is submitted to the European Commission for their examination. Italy acknowledged the value of this suggestion which will be considered by its working group.

France noted that the expectations from this report were considerable and in order to assist the Italian administration in the process, some actions at the European Commission’s level should be taken. Specifically, France suggested that the Italian political level should be alerted so that the concrete actions of the report may progress effectively.

In response, the EC representative stated that the compatibility of Italy's actions with EU law was being considered and that the possibility for the EC in initiating an infringement procedure against Italy is not excluded.

As regards to the availability of EU guidelines, such guidelines are published on the EC's website, for example <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2004:101:0097:0118:EN:PDF>.

Nonetheless, Italy asked once again if any other administration have already developed such documentation or guidelines on the specific topic of the application of the ITU regulations and to kindly share such with Italy.

In conclusion, the Sub Group was hopeful that Italy finalises the adoption of its working report soon and that appropriate measures are implemented without any delay to resolve the long outstanding FM harmful interference problems.

Italy-France

France reported that the most recent bilateral discussions with Italy took place on the 9th November 2023 and that the interference case concerning Bonifacio was still unresolved.

The bilateral discussions focused on the proposed French notifications to modify the GE84 plan. Out of these notifications, only 4 were provisionally agreed to by Italy. France stated that it had difficulty on the data sets of Italian authorised stations provided in July 2023 since these were either incomplete or include peculiar antenna radiation patterns. The submission of accurate data sets for the relevant areas was critical since this data serves as a basis to conduct the compatibility assessment between French and Italian stations. In this regard France once again requested Italy to provide a comprehensive data set of Italian authorised FM stations. Italy confirmed that it was working to provide a comprehensive and accurate data set since this will contribute to the simulations being taking place. A common approach concerning the methodology being adopted for this assessment was in the process of being established, and this was in particular relevant to make progress on the Bonifacio interference case.

During the course of the bilateral discussions Italy proposed modifying some of its GE84 plan entries to align these entries with the parameters of authorised FM stations. The respective data sets still need to be sent to France for the relevant analysis. Discussions also continued on the French stations operating from Elba island. A potential solution was identified and Italy will be providing the draft agreement to France for their consideration.

Bilateral discussions are ongoing and an additional bilateral meeting will be taking place around mid-February.

Italy-Malta

Malta did not report any progress to the interference situation. Italy confirmed that the FM interference data provided by Malta in 2023 was still under study. Italy confirmed that the report being developed by the working group will contribute to finding solutions to the interference problems.

Italy-Slovenia

Slovenia did not report any progress to the interference situation since none of the reported harmful interference cases were resolved. Slovenia reiterated that the current situation can no longer be tolerated and once again requested the EC to intervene since only through legal means the situation will improve.

Italy acknowledged that Italian stations are interfering with Slovenian stations located in the border area and similarly, Slovenian stations are causing interference to Italian stations. Italy considered that the solution for resolving the interference caused to Slovenian stations should at the same time guarantee a good level of service to the Italian stations. In response, Slovenia stated that its FM stations were fully coordinated and pursuant to ITU rules the Slovenian stations enjoyed protection. Italy was therefore required to cease the interference being caused to these coordinated stations.

Clarifications were provided by Slovenia on its requests for registering new stations under the GE84 plan. It stated that such requests are supported by studies which ensure that their proposed stations do not affect other countries. Italy reiterated that Slovenia's requests for coordination are not made on the basis of a public plan for the development of the FM sector. Italy asked Slovenia whether its requests for coordination of additional frequencies were preceded by public consultations justifying them. Slovenia replied that there is no such consultation as there is no such legal requirement. The process is usually initiated by a request from operators, followed by a technical analysis by the administration and the coordination procedure with the potentially affected administrations based on Article 4 of the GE84 agreement.

Italy-Croatia

No progress was reported by Croatia to the FM harmful interference situation and appealed to Italy to start addressing the priority interference cases. It noted that the number of priority interference cases was reduced to 40.

Clarifications were also provided on the various harmful interference reports sent to the ITU and Italy in October 2023. Italy confirmed that the interference reports provided by Croatia in October 2023 will be considered in the frame of the actions being established in the Italian working group report.

2. DAB interference around Italy

Interference affecting Croatia and Slovenia

No progress was made on the DAB interference cases affecting Croatia and Slovenia. Italy still expressed preference to the adoption of an interim solution based on the use of frequency blocks 7C and 7D since in its view, this solution had no impact on neighbouring countries. The use of 7C and 7D by Italy will end once the Adriatic and Ionian agreement for DAB is signed, taking into account the final distribution of channels and based on the provisions of the agreement itself. Italy mentioned that the draft text of the Adriatic and Ionian agreement already contains provisions relating the transitional phase that will commence when the agreement will be finally signed. This will allow all administrations to converge to the relevant frequencies. Italy also mentioned that the timing currently included in the draft text of the agreement is 6 months during which all administrations are expected to proceed with their activities. Italy added that an alternative solution based on the current draft of the Adriatic and Ionian region was considered but not deemed appropriate since this agreement still had to be finalised.

Slovenia confirmed its objection to the use by Italy of frequency blocks 7C and 7D and preferred solutions based on either Italy's GE06 rights or on the draft Adriatic and Ionian plan. An approach where frequency resources are used without receiving the frequency coordination agreements of the concerned countries was strongly opposed by both Slovenia and Croatia.

In conclusion, the Good offices reaffirmed that the instrument to resolve the DAB interference problems is the regional agreement being developed for the Adriatic and Ionian group and encouraged the relevant parties to reconvene at the earliest opportunity so that progress may be made towards finalising the agreement. Italy offered to coordinate with the members of the Adriatic and Ionian group a suitable date for the meeting. Both Croatia and Montenegro supported preference to have this meeting in February.

3. Update on the development of the Adriatic and Ionian regional agreement for DAB

Italy-Slovenia

The solution suggested at the bilateral meeting held on the 10th October 2023 to publish guidelines clarifying how ITU rules shall be respected is being addressed by the Italian working group dealing with FM interferences. As reported under section 1 of this progress report, the guidelines are foreseen to be included in the report being developed by the said group and is expected to be addressing the concerns expressed by Slovenia on how Italy is applying ITU rules.

Italy referred to the other concerns made by Slovenia concerning their FM frequency coordination requests which are conditioning their signature of the DAB regional agreement once it is finalised. Italy was of the view that this concern was distinct from DAB and that it cannot condition the signature of the DAB agreement. In response Slovenia stated that technical solutions should be found to close-off this outstanding matter.

North Macedonia

North Macedonia informed the Sub Group that the re-planning process of the VHF band was still ongoing. Consequently no discussions could take place on this point.

North Macedonia was encouraged to seek closure of their VHF re-planning process in due time so that the relevant frequency coordination activities with the concerned countries, including Albania, may be undertaken.

4. 700 MHz interference

Albania-Italy

Italy reported that their local office in Puglia carried out measurements and significant interference on TV channel 53 as well as on channels 57, 58 and 60 were observed. Resolving the interference on channel 53 was a priority. Italy will be submitting the interference reports to Albania in short order and expressed its willingness to discuss any potential solutions on a bilateral basis.

Albania committed to process the Appendix 10 interference reports once received and potential solutions discussed with the relevant operator.

Albania-North Macedonia

North Macedonia is still experiencing harmful interference on the 700 MHz band. Whilst a transitory arrangement concerning Albania's TV transmissions on channel 51 was found, two other Albanian TV channels are causing harmful interference to North Macedonia. North Macedonia explained that it has been receiving continuous interference reports by their operators and this problem was also raised at a high political level. It therefore requested Albania to resolve the interference with urgency.

Albania stated that it was still working on resolving the interference caused by TV transmissions operating on the other two channels. No timeframe was provided by when they expect that this interference problem will be resolved.

The EC requested Albania that in the interim period technical measures (e.g. power reduction, etc.) are adopted so that the interference situation will improve in both Italy and North Macedonia. Albania confirmed that it was analysing possible solutions which may be adopted prior to releasing the 700 MHz band for mobile electronic communications services. The timeframe when Albania will be releasing the band as aforesaid is not defined as yet.

In conclusion, Albania was requested to expedite the process relating to resolving the reported cases of 700 MHz harmful interference.

5. Any other business

Nil.

6. Date of next meetings

The Sub Group will be holding its meeting on the 26th March 2024 (09:30-12:30hrs), virtually.

List of participants

No. of participants: 28

Country	Organisation
Albania	Authority for Audiovisual Media (AMA)
	Ministry of Infrastructure and Energy
Austria	Austrian Regulatory Authority for Broadcasting and Telecommunications (RTR)
Croatia	Croatian Regulatory Authority for Network Industries (HAKOM)
Estonia	Estonian Consumer Protection and Technical Regulatory Authority
Finland	Finnish Transport and Communications Regulatory Authority (TRAFICOM)
France	French National Frequency Agency (ANFR)
Hungary	National Media and Infocommunications Authority (NMHH)
Italy	Ministry of Enterprises and Made in Italy (MIMIT)
	Italian Communications Regulatory Authority (AGCOM)
Latvia	Ministry of Transport, Electronic Communications Department
Lithuania	Communications Regulatory Authority of the Republic of Lithuania (RRT)
Malta	Malta Communications Authority (MCA)
Montenegro	Agency for Electronic Communications and Postal Services of Montenegro (EKIP)
North Macedonia	Agency for Electronic Communications (AEC)
Poland	Chancellery of the Prime Minister
	Ministry of Digital Affairs
	Office of Electronic Communications
Slovenia	Agency for Communication Networks and Services of the Republic of Slovenia (AKOS)
	Ministry of Digital Transformation
-	European Commission