



Comments from the Luxembourg administration with regard to the Draft RSPG Opinion on the Coordination of EU Spectrum Interest

In general we support the recommendations in the draft RSPG opinion. However the following comments should be taken into account:

With regard to Part 1:

Part 1 of the draft opinion relates to the preparation of ITU World Radiocommunications Conferences in general, whereas Part 2 treats the main themes of WRC-12. Accordingly all the recommends on the last page of Part 1 concern the appropriate method with a view to an optimized preparation at European level of World Radio Conferences. Only item 6 raises a specific issue related to one agenda item of WRC-12 and does not concern an issue of method but a political aim.

Luxembourg is of the opinion that item 6 is not at its right place in Part 1 of the opinion. This issue may be an important point of the RSPG opinion but it should be moved to Part 2 where it is already sufficiently covered.

It belongs to WRC-12 to assess if a specific agenda item is still needed for further enhancing the international spectrum regulatory framework by a future WRC. This can be done by a specific Resolution.

Moreover item 6 creates without necessity a link between the aim of achieving more flexibility on the one hand and the need for harmonization at European level on the other hand. The added value of this reference to “harmonization at European level” is not obvious.

With regard to Part 2:

Luxembourg supports the principle of increased flexibility in the use of spectrum. However this cannot be achieved simply by a political decision. Technical and regulatory provisions have first to be defined in order to ensure compatibility between different services, technologies and applications in the same and adjacent bands. Otherwise harmful interference or hindering of deployment will occur and the negative impact on existing services and future investments could overweight the positive effect of increased flexibility.

Therefore, at the first paragraph of the last section of Part 2 “Introduction of more flexibility in the International regulatory framework”, Luxembourg proposes to complete the text of the first sentence as follows: *“In the ITU, like at European or national level, there is a strong willingness to ensure the maximum possible flexibility in allocating frequency bands to services while ensuring the protection of **existing services including those** services operated in other countries under agenda item 1.2.”*

Moreover Luxembourg proposes to insert at the same paragraph a new second sentence which would read as follows: *“**Such flexibility should of course be subject to the outcome of the necessary compatibility studies to ensure the coexistence of different services/applications in the same band without harmful interference.**”*