

MEMORANDUM OF COOPERATION

between the

International Civil Aviation Organization

and the

International Telecommunication Union

for

**PROVIDING A FRAMEWORK FOR ENHANCED COOPERATION
REGARDING THE PROTECTION OF THE GLOBAL NAVIGATION SATELLITE SYSTEM
FROM HARMFUL INTERFERENCE WITH A POTENTIAL IMPACT ON AVIATION SAFETY**

The International Civil Aviation Organization, with Headquarters in Montréal, Canada, hereinafter referred to as “ICAO”, represented by the President of the Council; and

The International Telecommunication Union, with Headquarters in Geneva, Switzerland, hereinafter referred to as “ITU”, represented by the Secretary-General;

Hereinafter jointly referred to as the “Parties”,

Considering that there is a need for ensuring that harmful interference to the Global Navigation Satellite System (GNSS) with a potential impact on aviation safety is prevented, and, if possible, promptly removed if it occurs;

Recalling that ICAO Assembly Resolution A36-25 recognizes that the development and the implementation of the communications, navigation, and surveillance/air traffic management (CNS/ATM) systems and the safety of international civil aviation could be seriously jeopardized unless aviation requirements for allocations of radio frequency spectrum are satisfied and protection of those allocations is achieved;

Recalling that ICAO Assembly Resolution A32-20 noted that the GNSS, as an important element of the ICAO CNS/ATM systems, is intended to provide safety-critical services for aircraft navigation with worldwide coverage;

Recalling that ICAO Annex 10 — *Aeronautical Telecommunications* to the Convention on International Civil Aviation contains Standards and Recommended Practices (SARPs) for GNSS;

Recalling that the Constitution of ITU (No. 12) stipulates, in particular, that the Union shall “coordinate efforts to eliminate harmful interference between radio stations of different countries”;

Recalling that the ITU Radio Regulations (Preamble, Nos. 0.7 and 0.8) *inter alia* have the objective “to ensure the availability and protection from harmful interference of the frequencies provided

for distress and safety purposes” and “to assist in the prevention and resolution of cases of harmful interference between the radio services of different administrations”;

Recalling that the ITU Radio Regulations (No. 15.28) stipulate, in particular, that “administrations undertake to act immediately when their attention is drawn to harmful interference”... “to frequencies used for the safety and regularity of flight”;

Recalling that on 18 June 2012 the ICAO Council considered a report on a case of harmful interference to GNSS and requested the Secretary General of ICAO to study, in collaboration with ITU, when necessary, the implications of GNSS harmful interference on the safety of international civil aviation with a view to preventing or addressing any similar incidents in the future;

Wishing to work jointly and coordinate their resources and efforts to prevent and, as appropriate, remove harmful interference to GNSS with a potential impact on aviation safety;

Have agreed on the following:

1. Objective and Scope

1.1 The objective of this Memorandum of Cooperation (MoC) is to establish a framework for enhanced cooperation between the Parties in matters related to harmful interference to GNSS with a potential impact on international civil aviation safety. The purpose of the cooperation is to prevent duplication of efforts and to benefit from potential synergies between the Parties acting in their respective fields of responsibility, so as to maximize the effectiveness of their joint efforts.

2. Fields of Responsibility

2.1 For the purpose of this MoC, the respective fields of responsibility of the Parties are as follows.

2.2 ITU is the United Nations specialized agency for information and communication technologies and is responsible *inter alia* for coordinating efforts to eliminate harmful interference between radio stations of different countries, in conformity with the relevant provisions of the ITU Constitution and Convention and the Radio Regulations.

2.3 ICAO is the United Nations specialized agency created to promote the safe and orderly development of international civil aviation throughout the world, and is responsible *inter alia* for developing SARPs for the use of GNSS by international civil aviation, including SARPs on resistance to interference.

3. Cooperation Procedure

3.1 ICAO will institute a process whereby ICAO Member States and relevant aviation stakeholders will report to ICAO cases of harmful interference to international civil aviation uses of GNSS.

3.2 ICAO will perform a prompt analysis of the interference reports with regard to their impact on safety, regularity and efficiency of air navigation.

3.3 In cases where the analysis determines that there is a significant impact on air navigation with an international scope, ICAO will transmit the results of the analysis to ITU without delay.

3.4 ITU will duly consider and, as appropriate, take into account the information received from ICAO when providing assistance to administrations to ensure a prompt resolution of the problem of interference pursuant to Article 15 of the Radio Regulations.

3.5 ICAO will make aeronautical expertise available to ITU on request, if needed to assist ITU in settlement of the problem.

3.6 ITU will keep ICAO informed of the progress in application of the procedure defined in Article 15 of the Radio Regulations, Section VI, for the cases of harmful interference to GNSS identified by ICAO.

3.7 ITU will notify ICAO as soon as the interference incident can be considered as settled.

4. Mutual consultation and administrative matters

4.1 The Parties will regularly consult each other on matters of common interest for the purpose of achieving the objectives described in this MoC and coordinating the necessary actions for its successful implementation.

4.2 Each Party will designate a focal point for coordination of all actions deemed necessary for due implementation of this MoC.

4.3 This MoC will be implemented in good faith by the Parties within the limit of the availability of their respective resources.

5. Duration, Termination and Modification

5.1 This MoC is valid and effective for an indefinite period. It may, however, be terminated on the initiative of either Party by giving the other Party a written six-month prior notice.

5.2 In the event of termination, the necessary measures shall be taken by the Parties to ensure that such termination is not prejudicial to ongoing projects undertaken within the framework of this MoC.

5.3 This MoC may be modified by mutual agreement of the Parties in writing. Each Party will give full and sympathetic consideration to any proposal of modification made by the other Party.

6. Dispute Resolution

6.1 Any difference, dispute or claim arising out of or relating to this MoC shall be resolved amicably by direct negotiations between the Parties.

7. Effectiveness

7.1 This MoC will come into effect on the date on which it is signed by both Parties. In the event that this MoC is signed on different dates, it will come into effect on the later date of signature.

IN WITNESS THEREOF, the President of the Council of ICAO and the Secretary-General of ITU have signed this MoC, in duplicate, in the English language.

**For the International Civil
Aviation Organization**



Mr. Roberto Kobeh González
President of the Council

13/12/12

Date

Montreal

Place

**For the International
Telecommunication Union**



Dr. Hamadoun I. Touré
Secretary-General

17/12/2012

Date

Geneve

Place