

31 July 2023

**General Manager**

HAKOM  
Croatia

**Re: Common European positions on WRC-23**

Dear Sir/Madam,

The [Dynamic Spectrum Alliance](http://www.dynamicspectrumalliance.org) (“DSA”)<sup>1</sup> welcomes the opportunity to comment on HAKOM’s consultation on the European Common Proposals (ECPs) for the ITU WRC-23. DSA understands that HAKOM is seeking feedback on its positions on already agreed ECPs; this notwithstanding, we invite HAKOM to already consider its position on Agenda Item 1.2 (6425-7025 MHz and 7025-7125 MHz) for which an ECP still is to be agreed on.

WRC-23 is a valuable opportunity to align on a global vision for connectivity to meet the existing and future needs of consumers and businesses. In particular, it will consider whether to identify the 6425-7125 MHz frequency band (“the upper 6 GHz band”) for International Mobile Telecommunications (“IMT”) under Agenda Item 1.2 or to maintain a “no change” (“NOC”) position.

It is critical that the outcome does not impact the EU’s ability to fully harness the 6 GHz band to benefit European consumers and businesses and enable the digital and green transition. Therefore, we strongly urge Croatia to work together with other EU administrations on a common position that effectively leaves CEPT outside any IMT identification. The rationale for this position is explained below.

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<sup>1</sup> The DSA is a global, cross-industry, not for profit organization advocating for laws, regulations, and economic best practices that will lead to more efficient utilization of spectrum, fostering innovation and affordable connectivity for all. Our membership spans multinationals, small-and medium-sized enterprises, as well as academic, research and other organizations from around the world all working to create innovative solutions that will benefit consumers and businesses alike by making spectrum abundant through dynamic spectrum sharing. A full list of DSA members is available on the DSA’s website at [dynamicspectrumalliance.org/members](http://dynamicspectrumalliance.org/members).

Countries in all three ITU regions that are generating more than one third of the world's economic input have already made the upper 6 GHz band available to licence-exempt technologies. As a result, there is no prospect of the upper 6 GHz band being globally harmonized for IMT.

However, the spectrum could be globally harmonized for licence-exempt technologies. Following a meeting in Mexico City in May, the Inter-American Telecommunication Commission (CITEL) published a proposal for No Change (underlined) to the Table of Frequency Allocations in the band 6425-7125 MHz for all three regions in order to harmonize licence-exempt use of the band. CITEL noted that regulatory harmonization will create economies of scope and scale and produce a robust equipment market, benefitting consumers and national economies worldwide.

### **How the EU can keep its options open**

At the CEPT CPG (Conference Preparatory Group for WRC-23) meeting in Greece in May 2023, it was agreed that if specific conditions were not fulfilled, CEPT would support a No Change (underlined) position with respect to the status of the 6425-7125 MHz band. These conditions, reviewed at the last PT1#75 Meeting include:

- The protection of relevant primary services should be ensured.
- The continued operation of other services such as passive earth exploration-satellite service (EESS) and radio astronomy is addressed with additional EESS (passive) primary allocations in the 4.2—4.4 GHz and 8.4—8.5 GHz bands to allow the continued operation of sea surface temperature (SST) measurements.
- No limitations are imposed on the existing services and their future development.
- The IMT Resolution should clearly outline opportunities for other broadband applications in mobile services such as WAS/RLAN as well as sufficient flexibility regarding future wireless broadband usage, by IMT, WAS/RLAN or under a shared framework between IMT and WAS/RLAN.
- WRC-23 does not approve an agenda item for WRC-27 studying additional IMT identifications in frequency bands between 7 GHz and 30 GHz where IMT would have the potential to jeopardise important European space and governmental spectrum.

The CPG meeting resolved that the 6425-7025 MHz band in Region 1 and the 7025-7125 MHz band in all regions could be used by any application of the mobile service or of other services to which the band is allocated and that CEPT is not advocating nor proactively supporting an IMT identification. The final CPG23-9 meeting will be held on 18-22 September 2023.

Contrary to some claims, an IMT identification is not required as a prerequisite to deploy 5G in the future, should the EU decide this is the best use of the band after WRC-23. For example, whilst the 3600–3800 MHz band has not been identified for IMT, this did not keep the EU from using it as a primary band for 5G deployments.

Yet an IMT identification would limit Europe’s flexibility to enable WAS/RLAN in the band. As acknowledged by the RSPG, an IMT identification is not a neutral label, but “a signal for an IMT ecosystem in a frequency band”<sup>2</sup>. In the context of intense debates across regions about the future of the full 6 GHz band, accepting an IMT identification for the EU region will signal to other regions and the global Wi-Fi ecosystem that IMT is the favoured model for Europe. There is no precedent where mid-band spectrum has been allocated to other mobile applications after being identified for IMT by a WRC.

### **Europe must not send the wrong signal to the rest of the world**

An EU “acceptance” of an IMT identification would mean deviating from continued harmonization with leading 5G nations, such as the United States, South Korea and Saudi Arabia and would thereby deprive EU citizens and enterprises of the benefits of affordable 6 GHz Wi-Fi equipment that is already available and deployed in other countries. In fact, the initial RSPG proposal to “accept” an IMT identification (without supporting it) would actually defer to countries outside CEPT. Considering that Russia and China have expressed their wish to designate the upper 6 GHz band for IMT, the EU’s “acceptance” would amount to an explicit alignment with these countries and a relinquishment of Europe’s sovereign decision power.

The ongoing work within CEPT on a potential shared use of the upper 6 GHz band by WAS/RLAN and IMT will not conclude until 2024 or likely 2025. In the meantime, the only effective way the EU can convey that it remains undecided about the best use of the band is to clarify that acceptance of an IMT identification in other regions would not mean an acceptance of the identification in the EU region.

More broadly, the EU should not wait for an IMT ecosystem supporting the 6 GHz band to emerge. Europe can already tap the large and expanding Wi-Fi 6E ecosystem – more than 1,200 Wi-Fi devices that are able to operate in the 6 GHz band are commercially available. As any delay in enabling Wi-Fi in this band translates directly into missed socio-economic growth, HAKOM should consider opening the upper 6 GHz band to licence-exempt use and then studying the

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<sup>2</sup> RSPG, “Opinion on the ITU-R World Radiocommunication Conference 2023”, December 2022.

conditions and the requirements for a potential shared use of the band by IMT technology in those locations where it can provide tangible benefits to society and economy.

In summary, we strongly urge Croatia to work together with other EU administrations on a common position that effectively saves CEPT from having to adopt and IMT identification, so the EU can fully retain its flexibility and sovereignty vis-à-vis other countries in Region 1 (such as Russia) on the best use of the upper 6 GHz band.

The DSA and our members would be delighted to discuss these comments and provide any further information that might be useful to you or to discuss these issues in person.

Kind regards,



Martha SUAREZ  
President  
Dynamic Spectrum Alliance