

RESOLUTION 99-4

concerning terms of reference for the IARU Monitoring System

The IARU Administrative Council, Lillehammer, September 1999,

recognizing that in accordance with the IARU Constitution, it is the obligation of the IARU and its member-societies to defend the interests of the Amateur Services;

further recognizing the valuable ongoing contribution to the defense and promotion of amateur radio provided by the IARU Monitoring System, a group of dedicated volunteers who have functioned effectively for many years under the guidance of the IARU MS International Coordinator and Regional Coordinators as authorized by the Administrative Council and the regional organizations respectively;

also recognizing that to deal effectively with cases of improper use of the amateur bands by non-amateur stations requires the active involvement of member-societies with their administrations, inasmuch as the ITU, having no enforcement authority, is unable to address such matters directly;

noting the desirability of having formal terms of reference for the IARU Monitoring System;

resolves that the following terms of reference of the IARU Monitoring System are hereby adopted:

1. The IARU Monitoring System (IARUMS) is a worldwide service authorized by the IARU Administrative Council (AC).
2. Its objectives are:
 - 2.1. primarily, the identification and initiation of steps leading to the removal from amateur bands of radio signals of non-amateur stations causing harmful interference to the amateur and amateur satellite services contrary to International Telecommunication Union (ITU) and national radio regulations (hereinafter referred to as "improper use of the amateur bands"), and
 - 2.2. to conduct surveys of amateur band occupancies and any other special tasks as may be directed by the AC or by the IARU regional organizations on a regional level.
3. The IARUMS operations will be directed and coordinated by the IARUMS International Coordinator (IC), appointed by the AC in accordance with Resolution 93-1, who may be assisted by one or more Special Coordinators. One or more Special Coordinators will be appointed by the Administrative Council acting upon recommendation by the IC; specialized responsibilities may be assigned to them, e.g. the monitoring of particular bands or modes of transmission.

4. Each of the three IARU regional organizations will appoint a IARUMS Regional Coordinator, under its own regional terms of reference in harmony with the terms and objectives of the worldwide IARUMS. Each Regional Coordinator shall be responsible to the regional organization that appointed them, and shall follow the directives of the IC.

5. The three regional organizations are urged to stimulate, support and encourage monitoring activities by each member-society. The AC urges that each member-society should have a National IARUMS Coordinator guiding a group of volunteers in the monitoring activities.

6. Member-societies shall aggressively pursue the processing by their own administrations of documented complaints of improper use of the amateur bands. Documented cases of improper use of the amateur bands that cannot be solved by the member-society with its administration shall be forwarded by the member-society to its regional organization. Any cases of improper use of amateur bands processed through an IARU regional organization shall be handled by the following procedure:

a) The cases shall be referred to the IARUMS Regional Coordinator in the region where the transmitting station is located.

b) As soon as possible after receiving a case, the IARU MS Regional Coordinator will verify the report and ensure that all pertinent information is included.

c) Upon verification, the IARUMS Regional Coordinator will ask the regional secretary to report the incident to the appropriate member-society in the region.

d) The member-society will promptly submit the report to its administration.

e) The member-society must advise the regional secretary within 30 days after receiving the report:

1) the date the report was presented to its administration;

2) to whom it was presented; and

3) any formal or informal response of its administration.

f) If a member-society is unable or unwilling to present a report of improper use of the amateur bands to its own administration, the member-society may request that the regional organization present the report directly to its administration.

7. The IARUMS Regional Coordinators are encouraged to keep a log by country in their region of cases of improper use of the amateur bands and to issue a summary report to the regional secretary once a year.

8. IARUMS Regional Coordinators may initiate direct contact with a station making improper use of the amateur bands *only* if (a) the station is identified to be located in a country or territory generally favorable to amateur radio; (b) it is deemed that the improper operation is probably inadvertent and, therefore, it is reasonable to assume that such direct contact may produce a favorable result; and (c) the member-society (if any) of the country in which the station is located is consulted and is found to have no objection.

9. No communications concerning improper use of the amateur bands shall be directed by Regional Coordinators to member-societies or any other entities outside of their own region without prior coordination with the other Regional Coordinator.

10. Any and all contact with the ITU involving matters relating to the IARUMS and its activities shall be made only through the AC. No contact with a regional telecommunication organization shall be made by an IARUMS Coordinator without the prior approval in writing of the executive committee of the respective regional IARU organization.

11. The IARUMS should not become involved in the monitoring and reporting of harmful interference in amateur bands caused by stations identified as or believed to be amateur stations. Should, in the course of a normal monitoring activity, improper use of an amateur band by a station identified as or believed to be an amateur station be observed, a discreet communication may be directed to the respective Regional Coordinator for a possible follow up with the appropriate member-society, but such cases will not be included in the monitoring reporting system.

12. The IC additionally shall have the responsibilities and authority enumerated in the "Terms of Reference for the IARU Monitoring System International Coordinator" as adopted in 1985 and as subsequently amended.