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LETTER DATED 11 APRIL 1990 FROM THE PERMANENT REPRESENTATIVE
OF CUBA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF
THE SECURITY COUNCIL

Further to the letter which His Excellency Mr. Isidoro Malmierca, Minister for Foreign Affairs of the Republic of Cuba, addressed to the President of the Security Council on 27 March 1990, I have the honour to transmit herewith the decision by the International Frequency Registration Board of the International Telecommunication Union concerning illegal television broadcasts beamed to the Republic of Cuba by the United States Government.

I request you to arrange for this letter and its annex to be circulated as a document of the Security Council.

(Signed) Ricardo ALARCON DE QUESADA
Ambassador
Permanent Representative

Annex

[Original: English]

Letter from the International Frequency Registration Board
addressed to the United States Government

Subject: Objections raised by the Administration of Cuba to the
proposed television broadcasting directed to Cuba

1. The Board sent a letter dated 12 January 1990 to your Administration enclosing a copy of a letter from the Cuban Minister of Communication requesting additional technical information together with any comments that you might wish to make.

On 23 February 1990, the Board sent a reminder telefax indicating "it is essential for the Board to be informed of your views before it can complete its study of the matter". The Board did not receive any response to either of these communications, therefore, the Board had to proceed without any comments from your Administration. Subsequently, on 27 March 1990, the Board received from your Administration a notice for the recording and registration of frequencies (sound and vision) for a television station at Cudjoe Key, Florida with an effective antenna height of 3,050 metres and effective radiated power of 45.2 DBW and 35.2 DBW for the vision and sound carriers respectively. The main direction of radiation is given as 207 degrees azimuth.

2. The Board is of the view that the establishment of this service with the use of such a high effective antenna height cannot be considered as efficient use of the radio spectrum in an area which includes other countries.

3. It is to be recalled that the radio regulations are annexed to the ITU Convention (Nairobi 1982) which is an international treaty in which one of the basic provisions of the Convention, its preamble, states "... with the object of facilitating peaceful relations, international cooperation ..."

4. The establishment of this broadcasting station, considering its location, relative power, high antenna height, and the given antenna directivity, is in the view of the Board not in compliance with the intent and spirit of No. 2666 of the radio regulations (which is to limit broadcasting in these bands to national service of a good quality within the frontiers of the country concerned). Earlier consideration by the Board of the provision have been based on the view that it is for the administrations concerned to comply with the limitations imposed, recognizing that the first clause "in principle" may, in practice, permit certain exceptions to the full compliance with this provision. The establishment of a TV station with these notified parameters cannot be considered as an exception provided for in No. 2666, therefore, the Board concludes that the operation of this station is in contravention of No. 2666 of the radio regulations. Consequently, the Board requests your Administration to modify the technical characteristics of this station so that it is in general, in conformity with No. 2666.

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5. The Board has now received from the Administration of Cuba a complaint of harmful interference. Full details of the complaint are attached, you will be aware that the Administration of Cuba is operating a station CD-DE La Habana with an assigned frequency of 213.0 MHZ which is recorded in the MIFR with a 2C date of 22 June 1989 (Notice received 12-7-89) the hours of operation are 0000-2400.

6. Your attention is drawn to RR 1943 and or provision No. 158 of the ITU Convention (Nairobi 1982) and your prompt action in eliminating this harmful interference is requested.

7. Your early response would be appreciated.

Regards,
Chairman IFRB. IFRBCOM.

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Enclosure

The data concerning interfering station are as follows:

Frequencies of emission: 211.250 MHZ and 215 MHZ

Time (local) 0145 hrs

Class of emission: BC (Television)

Characteristics of the affected transmitting station:

Assigned frequency 213.0 MHZ

Class of emission: BC

Location: Alamar, Ciudad Havana y Jaca, Matanzas.

These emissions infringe the basic provisions of No. 158 of the Convention as well as those set out in Nos. 340, 342 and 2666 of the radio regulations.

They also infringe the provisions of articles 18 and 19 of the regulations.

