Ref. Ares(2026)1604911 - 12/02/2026

REPLY FROM THE EUROPEAN UNION TO THE COMMENTS RECEIVED FROM P. R. CHINA REGARDING NOTIFICATION

G/TBT/N/EU/1165

DRAFT COMMISSION IMPLEMENTING DECISION ON THE HARMONISATION OF RADIO SPECTRUM FOR USE BY RADIODETERMINATION APPLICATIONS IN THE 116-260 GHZ FREQUENCY BAND

The European Union (EU) would like to thank the authorities of the P. R. of China for its comments on the draft Commission Implementing Decision on the harmonisation of radio spectrum for use by radiodetermination applications in the 116-260 GHz frequency band, notified to the WTO TBT Committee on 2 October 2025 as G/TBT/N/EU/1165.

The EU would like to provide the following reply to these comments:

The EU would like to stress that radiodetermination applications covered by this draft Implementing Decision use radio spectrum with low emission power and short-range emission capability and on a non-interference and non-protected basis which means that no harmful interference may be caused to any radiocommunication service and that no claim may be made for protection of these devices against interference originating from radiocommunication services or from other short-range devices (SRD).

With regard to your comments specific to clauses 7 and 8, it is relevant to point out that the coexistence between EVR and IVR is a matter of detailed technical specifications, developed by the European Telecommunications Standards Institute (ETSI). Thus, the recommendations of the P. R. of China can be taken into account at the level of ETSI.

Regarding your comments on compatibility and coexistence between the six categories of fixed radiocommunication applications (generic indoor surveillance radars, RDI, LPR, CDR, TLPR, RDI-S) in the 116-260 GHz frequency band and radiocommunication services (Radio Astronomy Service, Fixed Service, Earth Exploration Satellite Service passive and Amateur Service) operating in the same frequency band and in adjacent bands, the EU would like to point out to the results of comprehensive coexistence studies that are summarised in CEPT Report 86, whose recommendations served as a basis for draft Commission Implementing Decision. The EU is ready to provide further explanations as appropriate.

The EU would like to draw the attention of the Chinese authorities that in accordance with Article 5 of draft Commission Implementing Decision, Member States of the EU shall monitor the use of the 116-260 GHz frequency band and report their findings to the European Commission upon request or at their own initiative to allow a timely review of this Decision. The comments submitted by the P. R. of China on G/TBT/N/EU/1165 will be forwarded to Member States of the EU, the European Conference of Postal and Telecommunications Administrations (CEPT) and ETSI.

The EU would like to thank the P. R. of China' authorities once again for providing comments on the notified draft and hopes that the responses conveyed sufficiently clarify the issues raised.

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Electronically signed on 19/01/2026 19:47 (UTC+01) in accordance with Article 11 of Commission Decision (EU) 2021/2121