

MISCELLANEOUS

Amendments to the Radio Regulations concerning Medical Means of Transport and Neutral Means of Transport

In 1979, the World Administrative Radio Conference (WARC 79), which was held in Geneva under the auspices of the International Telecommunication Union (ITU), adopted a new Section II on “Medical Transports”, for inclusion in Article 40, “Urgency and Safety Transmissions, and Medical Transports”, of the Radio Regulations. Article 40 was printed in its entirety in the July-August 1982 issue of the *International Review of the Red Cross*; the work of WARC 79 was also mentioned in the March-April 1980 and November-December 1982 issues of the Review.

WARC 79 also examined the need of ships and aircraft of States not parties to an armed conflict, i.e. neutral ships and aircraft, for means of identification by radio, and adopted Resolution 11 to this effect. This Resolution, which is incorporated in the present Radio Regulations, invited the Administrative Council of the ITU to consider including *this subject on the agenda of the next competent World Administrative Radio Conference*.

The texts of Article 40 Section II, and of Resolution 11 and its Annex were communicated by the ITU to the International Maritime Organization (IMO) and the International Civil Aviation Organization (ICAO) so that they could take the appropriate steps.

The World Administrative Radio Conference for the Maritime and Aeronautical Mobile Services, which was held by the ITU in Geneva from 28 February to 18 March 1983, was competent to include on its agenda the identification by radio of medical transports by air and at sea, and the subject raised in Resolution 11.

WARC MOB 1983 revised several parts of the Radio Regulations and cancelled, replaced or amended certain provisions, which will be rescinded when the new provisions come into force on the set date of 15 January 1985 at 0001 UTC (Universal Time Coordinated).

It unanimously adopted improvements to Section II of Article 40, which is reproduced below; modifications are indicated by the letters MOD and additions by the letters ADD.

Paragraph 3201 of Article 40 was supplemented with additional distress frequencies. These frequencies, which could also be included in paragraph 3224, are subject to the special conditions for use as stipulated in Article 8 of the Radio Regulations, in the Table of Frequency Allocations.

It will be noted that Paragraph 3209 of Section II was amended to include neutral vessels and aircraft assisting shipwrecked persons, in application of Article 21 of the Second Geneva Convention of 12 August 1949. This amendment was made in response to the request formulated in Resolution VIII, para. 3, by the Twenty-fourth International Red Cross Conference (Manila, 1981).

It must be recalled that coastal rescue craft i.e. craft which are land-based with permanent coastal installations and sometimes have an operational radius on the high seas of more than 50 nautical miles from their base, are protected under Article 27 of the Second Geneva Convention, in the same capacity as hospital ships. The rescue of shipwrecked persons is mentioned in Protocol I, Article 8 (b), and coastal rescue craft in Article 22; the Regulations Concerning Identification annexed to Protocol I apply to them. Such rescue craft are therefore entitled to identify themselves by radio and by radar in accordance with the provisions of Article 40, Section II, of the Radio Regulations.

The identification by radar of medical transports at sea or of aircraft medical transports was specified in Paragraph 3219 by adding subparagraphs 3219A and 3219B.

Radar identification codes for medical aircraft and ITU's work on standard maritime radar transponders are mentioned in the July-August 1982 and the November-December 1982 issues of the *International Review of the Red Cross*. WARC MOB 83 had included in its agenda Recommendation 605, adopted by WARC 79, on the subject of maritime radar transponders. After examination, the provisions of Recommendation 605 remained unchanged and the ITU is continuing to study the question. It will therefore be possible to take into consideration the particular needs of protected vessels for means of identification by radar. This is a new and important safety factor for them, and should be incorporated in Protocol I during one of the periodic revisions for which provision is made in the Regulations Concerning Identification.

Resolution 11 and its Annex, included in the agenda of WARC MOB 83, was studied by an *ad hoc* working group and finally replaced by a new Resolution 18, reproduced below.

Resolution 18 repeats the provisions laid down in the Annex to Resolution 11 and mentions the identification by radar of neutral vessels and aircraft. Paragraph 5 stipulates that the use of the radio signal "Neutral" would not confer or imply recognition of any rights or duties of a State not party to an armed conflict or a party to the conflict, except as may be recognized by common agreement between the parties to the conflict and a non-party. Resolution 18 encourages the parties to a conflict to enter into such agreements.

It has not been possible to incorporate the text of Resolution 18 in one of the articles of the Radio Regulations, but it is a part of the Regulations and, in the current context, it does enable the use of radio and radar for the identification of neutral ships and aircraft. This possibility is of interest to the International Red Cross and in particular the ICRC, in view of the large number of neutral aircraft and ships used in armed conflicts to transport relief supplies and evacuate civilians or soldiers.

The provisions of Resolution 18 are an important innovation for neutral maritime navigation in time of war at sea in that they constitute a permanent international procedure for identification and location by radio and by radar once standard radar transponders have been put into service. As early as 1944, during the second World War, the Allied naval authorities required neutral ships to make known their position by transmitting a radio signal every four hours in the Mediterranean and once a day in the Atlantic. This procedure was stopped when hostilities came to an end.

During the aeronaval conflict in the South Atlantic in 1982, transfers of prisoners of war were carried out by agreement between the belligerents by means of unarmed merchant vessels. Such transfers are not entirely without risk, as was demonstrated during the second World War (the "Laconia" affair). In wars at sea during the seventeenth and eighteenth centuries, the belligerents entered into "cartel" agreements to allow vessels of truce or "cartel ships" to sail between enemy ports and transport or exchange prisoners of war, especially captured crews. These cartel ships hoisted the white flag of truce on their foremast, and it was customary to hoist the enemy flag there as well. These means of identification would be insufficient, however, for the cartel ships used during the aeronaval conflicts of our age; it would be more appropriate to adopt a radio and radar procedure similar to that defined in Resolution 18; in radiotelephony, for example, the word "cartel" could be used.

In this connection agreements between belligerents are absolutely essential for the identification of vessels and to ensure the safe transport of prisoners of war by sea.

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Excerpt from the Radio Regulations

ARTICLE 40

Urgency and Safety Transmissions, and Medical Transports

Section I. Urgency Signal and Messages

3196 § 1. (1) In radiotelegraphy, the urgency signal consists of three repetitions of the group XXX, sent with the letters of each group and the successive groups clearly separated from each other. It shall be transmitted before the call.

3197 (2) In radiotelephony, the urgency signal consists of three repetitions of the group of words PAN PAN, each word of the group pronounced as the French word "panne". The urgency signal shall be transmitted before the call.

3198 § 2. (1) The urgency signal shall be sent only on the authority of the master or the person responsible for the ship, aircraft or other vehicle carrying the mobile station or mobile earth station in the maritime mobile-satellite service.

3199 (2) The urgency signal may be transmitted by a land station or an earth station in the maritime mobile-satellite service at specified fixed points only with the approval of the responsible authority.

3200 § 3. (1) The urgency signal indicates that the calling station has a very urgent message to transmit concerning the safety of a ship, aircraft or other vehicle, or the safety of a person.

MOD (2) The urgency signal and message following it shall be sent
3201 on one or more of the international distress frequencies 500 kHz,
Mob-83 2 182 kHz, 156.8 MHz, the supplementary distress frequencies
4 125 kHz and 6 215.5 kHz, the aeronautical emergency frequency
121.5 MHz, the frequency 243 MHz, or any other frequency which
may be used in case of distress.

3202 (3) However, in the maritime mobile service, the message shall be transmitted on a working frequency:

- a) in the case of a long message or a medical call; *or*
- b) in areas of heavy traffic in the case of the repetition of a message transmitted in accordance with the provision as laid down in No. 3201.

An indication to this effect shall be given at the end of the call.

- 3203 (4) The urgency signal shall have priority over all other communications, except distress. All stations which hear it shall take care not to interfere with the transmission of the message which follows the urgency signal.
- 3204 (5) In the maritime mobile service, urgency messages may be addressed either to all stations or to a particular station.
- 3205 § 4. Messages preceded by the urgency signal shall, as a general rule, be drawn up in plain language.
- 3206 § 5. (1) Mobile stations which hear the urgency signal shall continue to listen for at least three minutes. At the end of this period, if no urgency message has been heard, a land station should, if possible, be notified of the receipt of the urgency signal. Thereafter, normal working may be resumed.
- 3207 (2) However, land and mobile stations which are in communication on frequencies other than those used for the transmission of the urgency signal and of the call which follows it may continue their normal work without interruption provided the urgency message is not addressed "to all stations" (CQ).
- 3208 § 6. When the urgency signal has been sent before transmitting a message "to all stations" (CQ) which calls for action by the stations receiving the message, the station responsible for its transmission shall cancel it as soon as it knows that action is no longer necessary. This message of cancellation shall likewise be addressed "to all stations" (CQ).

Section II. Medical Transports

- MOD § 7. The term "medical transports" as defined in the 1949 Geneva
 3209 Conventions and Additional Protocols, refers to any means of trans-
 Mob-83 portation by land, water or air, whether military or civilian, permanent or temporary, assigned exclusively to medical transportation and under the control of a competent authority of a party to a conflict or of neutral States and of other States not parties to an armed

conflict, when these ships, craft and aircraft assist the wounded, the sick and the shipwrecked.

3210 § 8. For the purpose of announcing and identifying medical transports which are protected under the above-mentioned Conventions, a complete transmission of the urgency signals described in Nos. 3196 and 3197 shall be followed by the addition of the single group YYY in radiotelegraphy and by the addition of the single word MAY-DEE-CAL, pronounced as in French "médical", in radiotelephony.

3211 § 9. [The frequencies specified in No. 3201 may be used by medical transports for the purpose of self-identification and to establish communications. As soon as practicable, communications shall be transferred to an appropriate working frequency.

3212 § 10. The use of the signals described in No.3210 indicates that the message which follows concerns a protected medical transport. The message shall convey the following data:

3213 a) the call sign or other recognized means of identification of the medical transport;

3214 b) position of the medical transport;

3215 c) number and type of medical transports;

3216 d) intended route;

3217 e) estimated time en route and of departure and arrival, as appropriate;

3218 f) any other information, such as flight altitude, radio frequencies guarded, languages used and secondary surveillance radar modes and codes.

3219 § 11. The provisions of Section I of this Article shall apply as appropriate to the use of the urgency signal by medical transports.

ADD § 11A. The identification and location of medical transports at
3219A sea may be effected by means of appropriate standard maritime
Mob-83 radar transponders.

ADD § 11B. The identification and location of aircraft medical trans-
3219B ports may be effected by the use of the secondary surveillance radar
Mob-83 (SSR) system specified in Annex 10 to the Convention on International Civil Aviation.

3220 § 12. The use of radiocommunications for announcing and identifying medical transports is optional; however, if they are used, the

provisions of these Regulations and particularly of this Section and of Articles 37 and 38 shall apply.

Section III. Safety Signal and Messages

- 3221 § 13. (1) In radiotelegraphy, the safety signal consists of three repetitions of the group TTT, the individual letters of each group and the successive groups being clearly separated from each other. It shall be sent before the call.
- 3222 (2) In radiotelephony, the safety signal consists of the word "SÉCURITÉ" pronounced clearly as in French, spoken three times and transmitted before the call.
- 3223 § 14. (1) The safety signal indicates that the station is about to transmit a message containing an important navigational or important meteorological warning.
- 3224 (2) The safety signal and call shall be sent on one or more of the international distress frequencies (500 kHz, 2 182 kHz, 1568 MHz) or on any other frequency which may be used in case of distress.
- 3225 (3) The safety message which follows the call should be sent on a working frequency. A suitable announcement to this effect shall be made at the end of the call.
- 3226 (4) In the maritime mobile service, safety messages shall generally be addressed to all stations. In some cases, however, they may be addressed to a particular station.
- 3227 § 15. (1) With the exception of messages transmitted at fixed times, the safety signal, when used in the maritime mobile service, shall be transmitted towards the end of the first available period of silence (see No. 3038 for radiotelegraphy and No. 3052 for radiotelephony); the message shall be transmitted immediately after the period of silence.
- 3228 (2) In the cases prescribed in Nos. 3328, 3331 and 3335, the safety signal and the message which follows it shall be transmitted as soon as possible, and shall be repeated at the end of the first period of silence which follows.
- 3229 § 16. All stations hearing the safety signal shall listen to the safety message until they are satisfied that the message is of no concern to them. They shall not make any transmission likely to interfere with the message.

RESOLUTION No. 18 (Mob-83)

Relating to the Procedure for Identifying and Announcing the Position of Ships and Aircraft of States Not Parties to an Armed Conflict

The World Administrative Radio Conference for the Mobile Services,
Geneva, 1983;

considering

- a) that ships and aircraft encounter considerable risk in the vicinity of an area of armed conflict;
- b) that for the safety of life and property it is desirable for ships and aircraft of States not parties to an armed conflict to be able to identify themselves and announce their position in such circumstances;
- c) that radiocommunication offers such ships and aircraft a rapid means of self-identification and providing location information prior to their entering areas of armed conflict and during their passage through the areas;
- d) that it is considered desirable to provide a supplementary signal and procedure for use, in accordance with customary practice, in the area of armed conflict by ships and aircraft of States representing themselves as not parties to an armed conflict;

resolves

1. that the frequencies specified in No. 3201 of the Radio Regulations may be used by ships and aircraft of States not parties to an armed conflict for self-identification and establishing communications. The transmission will consist of the urgency or safety signals, as appropriate, described in Article 40 followed by the addition of the single group "NNN" in radiotelegraphy and by the addition of the single word "NEUTRAL" pronounced as in French "neutral" in radiotelephony. As soon as practicable, communications shall be transferred to an appropriate working frequency;
2. that the use of the signal as described in the preceding paragraph indicates that the message which follows concerns a ship or aircraft of a State not party to an armed conflict. The message shall convey at least the following data:
 - a) call sign or other recognized means of identification of such ship or aircraft;
 - b) position of such ship or aircraft;
 - c) number and type of such ships or aircrafts;
 - d) intended route;
 - e) estimated time en route and of departure and arrival, as appropriate;

f) any other information, such as flight altitude, radio frequencies guarded, languages and secondary surveillance radar modes and codes;

3. that the provisions of Sections I and III of Article 40 shall apply as appropriate to the use of the urgency and safety signals, respectively, by such ship or aircraft;

4. that the identification and location of ships of a State not party to an armed conflict may be affected by means of appropriate standard maritime radar transponders. The identification and location of aircraft of a State not party to an armed conflict may be effected by the use of the secondary surveillance radar (SSR) system in accordance with procedures to be recommended by the International Civil Aviation Organization (ICAO);

5. that the use of the signals described above would not confer or imply recognition of any rights or duties of a State not party to an armed conflict or a party to the conflict, except as may be recognized by common agreement between the parties to the conflict and a non-party;

6. to encourage parties to a conflict to enter into such agreements;

requests the Secretary-General

to communicate the contents of this Resolution to the International Maritime Organization (IMO) and the International Civil Aviation Organization (ICAO) for such action as they may consider appropriate;

requests the International Radio Consultative Committee (CCIR)

to recommend an appropriate signal in the digital selective calling system for use in the maritime mobile service and other appropriate information as necessary.