

## **Authenticating 7O1YGF**

### **Wayne Mills, N7NG**

Most of you were probably very happy to see 7O1YGF finally authenticated after over nine years of waiting. Although the books were never closed on this case, I suspect many DXers had long ago given up on ever being able to add it to their DXCC count. Some DXers had even tossed the cards in frustration. (Luckily, new cards as well as LoTW confirmations are now available.) I always held out hope that it would count in the end, but I was never able to convince Gary Stilwell, KI6T, who asked me about 7O1YGF every year at Visalia. After some initial panic looking for his cards, Gary is finally a happy camper. The real question for some of us is how did this all come about? Why did it take nine years? What information was finally available? Was it a good decision?

Determining how to authenticate the operation of amateur radio stations has always been something of a mystery – an enigma, if you prefer. Do we, as DXpeditioners need to provide documentation or not? When asked this question, ARRL officials have offered various answers: “You’ll know,” replied one, rather cryptically when queried. Others, in more well-thought-out and articulate answers, have offered additional insights, but never in my pre-ARRL days did I ever learn a formula that would reveal exactly what was required and how to provide it. From my DXpeditioning experience, I know that being aware of the documentation requirements beforehand is essential, since it can be much more difficult to obtain the necessary documents after leaving the area of operation and parting company with those providing transportation. Pre-approval for an operation, on the other hand, can be very risky for the award sponsor and must be handled with great caution. The pre-approval of P5RS7 was such an example.

After joining ARRL as Membership Services Manager in May 2000, and being put in a position of helping to make these decisions, I learned that one major reason for the uncertainty was the fact that there was no one size fits all. Actually, I already knew that, but I wasn’t really aware of how complex and numerous the situations can be. As noted in the DXCC rules, licensing situations, as we know them, vary greatly around the world. The hard truth is that governments in many countries simply don’t issue licenses such as we might obtain from the FCC in the USA or OFCOM in the UK. In fact, many governments haven’t even formally recognized Amateur Radio. This is not always because they think badly of Amateur Radio, but sometimes because it just isn’t that important in their thinking, and it’s not on their list of priorities. Government officials in one rare, developing country recently indicated that they had no need for Amateur Radio because “we have 3G!” (Needless to say, some time was spent explaining the advantages of “the service” to these people.)

This was the case in Albania until the spring of 1992. ZA1A was active in the fall of 1991 under a provisional authorization. There were operations in the years prior to 1992, but none were authorized under any specific law. This is *NOT* to say that these operations were unauthorized or illegal, however. During the spring of 1992, the PTT Secretary in Tirana wrote legislation providing for Amateur Radio. The legislation was subsequently adopted by Parliament, allowing for easy authorization for amateurs ever since.

Many authorization scenarios are possible. There are entities in the world where it is easy to import equipment and operate for an extended period of time without any knowledge of the government authorities. No one is interested – no one is listening. Would such an operation be authorized? Would it be accredited? There are also entities in the world where even bringing equipment into the country is known – by the military – and operating even for an hour or two would likely be detected – and shut down – by the telecom authorities. This situation is self-governing. How long would an operator need to operate without objection in order to establish authenticity? All of these questions must be addressed by the award sponsoring organization.

Governments generally have a great deal of leeway, and unless a particular activity is specifically disallowed, the government is probably free to authorize it. At the same time, they are probably not impressed with the fact the ARRL or RSGB requires written documentation stating that a certain operation was approved. Many times, governments are sympathetic, but not always. It should be pointed out at this point that it is not generally considered diplomatically appropriate for an agency such as ARRL to contact a government directly for information. Further, the veracity of any information received through such contact, after the fact could be questionable. It's easy to get a “no” when simply asking, out of context. In the DXCC rules, the ARRL attempts to make the point that how a government conducts its authorizing business is important and should be recognized. The idea that ARRL's current accreditation of Amateur Radio operations is – let's say – flexible follows from this idea.

So, after all, this question still arises: “Do I need to submit documentation for my operation?” The answer depends on a number of factors, including 1) the relative difficulty of traveling to the destination, and 2) the relative difficulty of obtaining *permission* to operate. Note the use of the word permission. It is central to the accreditation issue to state that a license, in written form, is *NOT* always necessary in order for an operation to be accredited. Obviously, the existence of authentic, written documents is desired and makes the award sponsor's job easy. *What is necessary, though, is tangible information that an operation is NOT unauthorized or illegal.* At one point in the last 41 years, the ARRL took the position that documentation wouldn't even be requested unless there was “reason to believe that something was amiss.” While this idea might be a bit liberal, it can be a useful consideration. It injects an element of “benefit-of-the-doubt” into the mix that is appropriate.

Actually, the most important accreditation criterion is not related to authorization at all. It is simply evidence of a physical presence within the geopolitical boundaries of the particular DXCC entity. It is implicit in the game that two-way contacts are made with stations located within the geopolitical boundaries of particular entities. The location of the station must be known. I should mention at this point that shipboard operation is *defined* as “location unknown.” Disallowing an operation on a platform, in water, is patently bogus – a mistake. The issue is location, not allowing your feet to become wet. These operations are not shipboard and therefore they are not defined as in an unknown location; the location is known, and they should be accredited.)

Since location is the most important factor, it is fortunate that location is also the easiest information to verify. Physical location is a fact of nature, while authorization is often subject to the whims of humans. All sorts of documents lend themselves to the precise determination of location.

Establishing whether permission to operate has been granted is certainly another matter. Radio transmissions are generally regulated at least where the emissions cross international boundaries. This is usually done to prevent interference between users. Regulations are issued by governments, according to ITU (International Telecommunications Union) treaty. These treaties are generally achieved through consensus. There is no enforcement by the ITU, however – the ITU has no “radio police.” Enforcement is the responsibility of the governments involved.

Denials of operating permission for radio amateurs may occur because many governments have seen illicit communications that support illegal activities. For all sorts of reasons, some governments will prohibit the potential means of communicating across borders. This often originates in political thinking. It may be the fear of the unknown. Fortunately, this situation is not widespread.

Since Amateur Radio has no inherent pecuniary interests, in general, it is always easy for government officials to deny an activity that affects few individuals, and brings the government or its people little to nothing in return. The value of Amateur Radio operators to Western nations is apparent. The value of Amateur Radio to developing nations is often less clear. There is often a great risk on the part of low-level bureaucrats that they will authorize some activity that will turn out to cause a serious problem, for which they will be responsible, with potentially disastrous personal consequences. Often this consideration leads to “Yes, you may operate, but you will NEVER receive authorization in writing.”

Consider this scenario: The operation is “authorized,” perfectly legal in the local environment, but no documentation will ever be forthcoming. How does the operator deal with that? How does the ARRL deal with that? Should such an operation be denied accreditation because the particular government allows operating, but doesn’t comply with the more-or-less accepted licensing procedure of the remainder of the world? Rules for rules sake should never be an alternative.

Amateur radio can be defined as an individual or individuals operating two-way radio equipment for their own, non-commercial interests, usually – but not always – communicating with other, similar individual enthusiasts. The idea of regulation and associated authorizations, sometimes written, may be considered an afterthought. A license is *NOT* necessary for Amateur Radio to exist as an activity, in the abstract. The fact that governments generally regulate the spectrum used by amateurs, and the fact that they generally require authorization, which is characterized by written documents is really unrelated to the generic idea of Amateur Radio.

So, how does an award sponsor such as the ARRL determine that a particular operation is acceptable for the purposes of its awards? These sponsors are not obligated to any governments in making their accreditation decisions. They will usually, however, consider the good of Amateur Radio as they proceed.

First of all, understand that in the end, *what is acceptable is what the sponsor says is acceptable*. Having said that, we and the sponsor also understand that their decisions should also be credible – the decisions should pass the “smell test.” We surely know it is necessary to pay some attention to this matter because contacts with certain entities can be very desirable, and in fact, there is a distinct advantage to the operators, both in recognition (ego) and some cases monetary considerations (right or wrong), to operating from these locations. In most cases, licenses are “issued in the normal manner,” and care only needs to be taken to verify that any documents are in order and not forged. This is usually determined in a straightforward manner. In these cases, the organizer may require only proof of actual travel to the physical location. In most cases, for locations that are not particularly rare, only travel documents are required.

For locations in which obtaining authorization is typically difficult, greater care must be taken by the award sponsor. First of all, it could be useful to know the past policy, if any, of the government in question. It is helpful to know for example, that written authorization has been issued in the past. This would indicate something about the lack of written authorization in some subsequent situation. On the other hand, it is unlikely that a policy of *never* issuing a written document would ever be adopted in writing or voiced by a government or its officials. In the latter case, a no-written-document policy would be tacit and unwritten – it would be simply “understood.” But a no-written-documentation policy, written or not, would not necessarily imply that any operation of Amateur Radio were not allowed. So, where a no-written-document policy appears to exist, there may still be alternatives.

Two such operations occurred in the last nine years. One was the operation of nearly one year in The Democratic People’s Republic of North Korea (DPRK) by Ed, 4L4FN as P5/4L4FN. The other was the ten-day operation of 7O1YGF in Yemen. Authorization in each of these cases was believed to be in order, *but absolutely no documentation either official or unofficial was ever available, in writing, directly from either of the governments involved*. Keep in mind that according to the groundwork laid previously, written documentation is not necessarily required – bear with me here – but at the same time, there must be sufficient *information* to satisfy the award sponsor – and the more general smell test – that the operating was truly authorized and not unauthorized or illegal. Operation in a country like the DPRK for nearly a year would tend to suggest that unwritten authorization had, indeed, existed. The operation in Yemen, operating for about ten days, would seem somewhat less likely to have been authorized, so additional information would be necessary.

Now to the crux of the matter: A license per-se is not necessarily required, but *satisfactory and tangible evidence that the operation was/is not unauthorized or illegal* must be available. If a paper license is available, it covers the requirement. Having

established that written documents are not always necessary for accreditation, how might information be obtained where no “official” authorization is available? One possibility for obtaining this otherwise unavailable information is from *credible and disinterested third parties*. This method requires exceptional judgment, but can be very useful, and should never be ruled out.

What or who would constitute a “credible third party?” My thinking was that individuals knowledgeable of the situation, who were associated with well-known organizations or governments, willing to document their information on organization letterhead, could provide information sufficiently credible for the purposes of validating an operation. In both cases above, North Korea and Yemen, input was sought from *credible third parties* indicating that the operations were indeed authorized and/or allowed by the proper authorities. Note again that the concept of legality is not mentioned here. Being authorized and/or allowed by the proper authorities is necessary and sufficient, according to DXCC rules.

In my experience, the award sponsor doesn’t want to approve an unauthorized operation for anyone, for any reason. At the same time, it doesn’t want to reject an operation unnecessarily. Public perception is very important. The potential for damage to the credibility of the program is just too great. Conspiracy theories abound, of course, but in fact, there is little to no incentive to cut corners. Conspiracy theories arise when the award sponsor does not make sufficient information available. Although ARRL policy requires that actual documentation be held in confidence – documentation is deemed the property of the issuer and the issued party – it *is* possible to tell the story without revealing properly confidential information. It just takes some thought. It is the best interest of the programs to reveal as much about the process as practicable.

So, why did it take over nine years to approve 7O1YGF? First, ARRL never closed the door to the possibility of accrediting the operation. Almost every year in Friedrichshafen, I prodded the 7O1YGF organizers to try to come up with something tangible that could lead to the accreditation of the operation. I tried to hint just how flexible we could be, but nothing came. Finally, in 2006, there was a suggestion that some government-issued equipment import documents might be available. Such documents might serve to imply that the subsequent operation was considered permissible by the government. Unfortunately, the documents never materialized. But, that idea led to another possibility that eventually bore fruit.

Obviously, such information is not easy to obtain. Information might be available were a representative of the award sponsor to actually travel to a distant land and consult with officials from the government involved. Needless to say, this isn’t usually possible, although it has happened. Written testimony from high-level officials of NGOs (non-governmental organizations) or other quasi-governmental agencies on official letterhead might suffice.

Information from a credible third party was used in the accreditation of P5/4L4FN. To the best of my knowledge, information from a credible third party was also used in the

case of 7O1YGF. Although the information concerning 7O1YGF was available at the end of 2006, it is unclear why no decision was made before mid-2009.

In both cases, however, I believe we can rest assured that the best interests of Amateur Radio, the ARRL and DXCC have been guarded. Members of the League administration, as well as members of the Board were informally involved in the decision.

Were these the correct decisions? Probably. Should the governments disagree, and feel strongly enough to comment, their input would have to be considered. It would NOT be appropriate to put the question to some government official, completely out of context. Surely in such a case, a NO would very likely result.

Will this method of accreditation always work in these cases? Probably not. But all of these avenues should be investigated where there are no alternatives. It is in the best interest of the various awards programs to accredit legitimate amateur radio operating where at all possible. It is NOT in the best interest of these organizations or ham radio in general to reject operations on the basis that the world everywhere operates the same as we in the West.