

**CRP on the Issue of Equitable Access of the Developing Member States to  
Geostationary Orbit under STSC Agenda Item 16**

**Proposed by the Delegation of the Islamic Republic of IRAN**

**28 April 2021**

The Islamic Republic of Iran, in line with the views of a number of COPUOS Member States, believes that current utilization of geostationary orbit (GSO) does not ensure equitable access of all member states to this limited natural outer space orbit resource. Current ITU Radio Regulation is mainly established based on the concept of “first come first serve” which gives the priority to the primary users of this orbit. This concept can restrict and prevent access to use certain frequency bands and orbital positions by those members who reach the satellite technology with delay.

This priority has led to a situation that early users are able to use a number of satellites with excellent technical parameters and large coverage area (as large as a whole continent or more), While depriving late users of having even one satellite with a small coverage area limited to their territories to provide service to their citizens. The deprivation of late users indicate that, despite all efforts made by the International Telecommunication Union (ITU) to meet the need for equitable access to this orbit, as emphasized in ITU constitution, this goal has not been achieved as yet.

This delegation believes that mere noting the concerns in the report is the very first step in resolving the problem. It has been observed that it’s a long time that we are in this stage and we must move beyond and take serious actions toward finding practical solutions. Therefore, the Islamic Republic of Iran proposed to establish a new agenda or sub agenda in a way that encourages countries to discover the shortcomings of this governing regime, regulating the use of GSO. The observations of this delegation show that the deficiencies are not merely legal in nature, but there are many technical issues that need to be addressed in STSC.

Couple of examples can better clarify these shortcomings, which are of a technical nature, if reviewed by STSC that may lead to solutions to ensure equitable access to the GSO. The first example is related to Plan Resources, which refers to those frequency and orbital resources that the ITU has permanently reserved in the GSO

orbit for all UN Member States, and its provisions are set out in Appendix 30, 30A and 30B of the Radio Regulations.

As the distinguished representative of Pakistan stated yesterday under agenda Item 16 (in the meeting of the subcommittee on April 27, 2021), although these resources are permanently available, there are technological limitations that make the use of these resources uneconomical and unjustifiable. In other words, countries must meet certain technical characteristics to use these permanent resources. These predefined characteristics are old because established many years ago and the latest available development and advancement in technology has not been taken into account to further review them. Therefore, one of the solutions that can lead to equitable access to the GSO orbit is the technical examination by this subcommittee, regarding the upgrading the technical characteristics of the plan resources and the acceptable amount of this upgrade to ensure the equitable access.

The second technical example is related to the possibility that given to first come countries, so that they can have a larger share in the Plan frequency band, than what is intended for all countries. This possibility is known as "additional use" and naturally the countries were able to take advantage of this possibility that had earlier acquired the satellite technology. Consequently, the Plan frequency band, which was supposed to be used fairly and not according to the concept of "first come first serve" used by additional systems.

Licensing for additional systems is also based on the concept of "first come first serve" which result in coordination between countries based on coordination criteria. The important issue is that if any upgrade in the specifications of the Plan resources be done even for their national coverage, it will considered as another additional system and requires to get agreement from all previous systems based on coordination criteria. Therefore, the second technical activity that this subcommittee can undertake is to study the coordination criteria to propose revision of their formulation so that countries can economically upgrade the technical characteristics in their national resources and in a way that does not make it subject to obtaining agreements from other additional systems.

The Technical issues regarding the current deficiencies are not limited to the two above mentioned examples. There are many other reasons that need to be

discussed in the Subcommittee such as registering satellite networks with unrealistic technical parameters which make them sensitive to interference, in a way that subsequent submissions would be considered as interferer to those systems.

Finally, due to the fact that the final solution to the issue is neither purely technical nor purely legal, the Islamic Republic of Iran is of the view that this agenda needs to be established in this Subcommittee. By this approach, any proposal for a solution that contains technical elements will be firstly reviewed and discussed in STCS from the technical and feasibility aspects, and then could be referred to the Legal Subcommittee for review of the consequence of technical solutions upon the implementation of space law treaties that explicitly have the provisions of equal and equitable access of all to other space orbits.

Based on the above discussions and justifications, the Islamic Republic of Iran proposes that a new sub agenda item under agenda item 16 be established for the draft provisional agenda of the fifty-ninth session of the Subcommittee,:

- 1- The numbering of this new sub agenda item be as: 16.1 or 16(a),
- 2- The language report of this new sub agenda is proposed to as following:

**“Review of the current utilization of geostationary orbit from the perspective of equitable access in order to assess the capability of current regime regulating the use of this orbit in providing equitable access to geostationary orbit and to propose possible solutions for the observed deficiencies.”**