H.E. Dr. Reza Taghipour

Minister of Information and Communication Technology (ICT) of I.R. of Iran

- The Islamic Republic of Iran views space as a province of all mankind which belongs to all nations and people and must not be claimed as a priority by anyone.
- Iran also believes that space must be used exclusively for peaceful purposes and all states may use space for the welfare of their citizens and their sustainable development.
- There are several verses in the Holy Quran which refer to the creation of the Heavens and the Earth, showing how such natural phenomena have always been given a lot of attention by the followers of Islam.
- Looking back at the history of Iran, one may easily see many Persian scholars whose findings in mathematics, physics and astronomy were later elaborated by some well-known figures such as Newton, Copernicus, Galileo, etc. to lead to groundbreaking discoveries which have contributed to our understanding of the world around us.
- Due to its many applications in everyday life, space technology has been given a lot of attention by all countries. Such applications include:
    - Satellite Communication
        - telecommunication
        - data, audio and video transmission
    - Remote Sensing
        - For agricultural purposes, mapping, geology, meteorology, environment monitoring, mining, oceanography, resource management, etc.
        - Navigation and global positioning
        - Studying other planets
        - Etc.
- Although advantageous in many ways, placing satellites into Earth's orbit has brought its own challenges for Earth's inhabitants. Examples include:
    - There are almost no empty spots available in the geostationary orbit, making it extremely difficult for the International Telecommunication Union to meet the requests by different countries.
    - Due to limited access to the geostationary orbit, most countries have no choice but to send their spacecraft to altitudes ranging from 500 to 1000 kilometers in the LEO, as a result, filling up Earth's surroundings very fast.
    - The Medium Earth Orbit, corresponding to orbital heights ranging between 2000 and 35000 km is also being filled up by many spacecrafts.
- As a result of human activities in the outer space, several legal questions rise which must be answered:
    - Who does the space belong to?
        - The answer is clear: The United Nations has made it clear in its conventions that space belongs to all humanity and is not subject to national appropriation by any country.
    - Should there be any laws governing human activities in the outer space?
        - The need for a set of laws regulating human activities in outer space, be it around the Earth or in other celestial bodies, has always been felt strongly since the space age began.
- The United Nations has devised a set of five treaties and conventions which address the potential problems arising from outer space activities and their solutions. These include:
    - Outer Space Treaty: Ratified in 1968, this treaty includes principles governing the activities of states in the exploration and use of outer space. Iran has signed but not yet ratified this treaty.

    - Rescue Agreement: Ratified in 1968, this agreement is on the rescue and return of astronauts and the return of objects launched into outer space. Iran has both signed and ratified this agreement.
    - Liability Convention: Ratified in 1972, this convention is on international liability for damage caused by space objects. It has both been signed and ratified by Iran.
    - Registration Convention: Ratified in 1975, it stresses the necessity to register every object launched into the outer space. This convention has only been signed, but not yet ratified, by Iran.
    - Moon Agreement: Ratified in 1979, it concerns activities by the states on the Moon. This agreement has neither been signed nor ratified by Iran.
- This workshop is a perfect opportunity for all experts in space law to discuss the weaknesses of these treaties and conventions and study the reasons that some of them, such as the Moon Agreement, have failed to receive much agreement by the Member States.
- On behalf of the Ministry of ICT, the Iranian Space Agency has signed a contract with Tehran University's Faculty of Law and International Studies to study in depth all the articles of the five UN treaties and conventions in outer space as well as legal questions currently on the table in UNCOPUOS to provide a detailed analysis which can be used by the country's decision makers in the Government as well as the Parliament for further decisions.
- The fact that the chairman of the UNCOPUOS's Legal Subcommittee for the period 2010-2011 has been chosen from Iran shows how Iran is taking the legal aspects of space activities seriously; and this selection will further elevate Iran's position in this area.

Dr. Mohammad Ali Forghani

Vice Minister of ICT and President of Iranian Space Agency (ISA)

- Quickly after the launch of Sputnik 1 in Oct. 4, 1957, concerns were raised which mostly revolved around the possibility for militarization of the space. This, in turn, led into first set of laws to be drafted by international organizations such that only about 40 days after the launch of Sputnik 1, on 14 November 1957 the UN General Assembly adopted in its resolution 1148 an article which states that "that the sending of objects through outer space shall be exclusively for peaceful and scientific purposes." This resolution was passed by a vote of 56 to 9, with 15 abstentions. It also stressed the necessity to establish an international observing body to ensure the peaceful utilization of satellites and all other objects launched into the outer space, while enforcing the idea that the use and exploration of the outer space shall be exclusively for peaceful purposes. A month later, the UN General Assembly in its resolution 1348 (XIII) announced the establishment of the Committee on the Peaceful Use of Outer Space (COPUOS) with two subcommittees, Scientific and Technical Subcommittee and Legal Subcommittee, whose mission was defined to consider technical and legal aspects of human's use and exploration of the outer space and provide annual reports of such studies to the UN General Assembly. Since its inception, UNCOPUOS's activities have led to the establishment of a set of laws which today are known as *The International Law of Space*.

- Space Law is a branch of law that addresses international regulations governing human's activities in the outer space. Although no single definition of "outer space" exists as its boundaries have remained undefined, the common consensus holds that outer space begins at an altitude of 100 kilometers from the sea level.

- Over 13 years following the launch of Sputnik 1, five treaties and conventions on outer space have been ratified by the United Nations, including the Outer Space Treaty, Rescue Agreement, Liability Convention, Registration Convention, and the Moon Agreement. However, all such activities seized in 1979 or reduced to the level of some only commenting and encouraging countries to abide by the laws of the outer space.

- In addition to the Five UN Treaties and Conventions on the Outer Space, several other agreements have been drawn up which address some very important aspects of space law. One example is the one prohibiting any kind of nuclear tests around the Earth or any other activity that can harm Earth's natural environment and the atmosphere. Yet, we may not assume that the existing conventions and agreements have fully satisfied the needs of the international society for new legislations in outer space activities. There still remain some unanswered questions such as the definition and delimitation of outer space or matters relating to utilization of the geostationary orbit, including consideration of ways and means to ensure the rational and equitable use of the geostationary orbit. It is also evident that advanced made in space technology require constant revisions of the existing laws and even devising new ones which address the relatively new legal questions.

- Another agenda item in COPUOS's meetings has to do with devising laws and regulations regarding the use of nuclear power sources in outer space. There is an immediate need to prevent contaminating Earth's surrounding; and advancements in military weaponry require precise observation by the international society to prevent arms race in outer space.

- Article 11 of the Moon Agreement states that State Parties must "*undertake to establish an international regime … to govern the exploitation of the natural resources of the Moon*". On the other hand, Article 18 of the same Agreement says "*Ten years after the entry into force of this Agreement, the question of the review of the Agreement shall be included in the provisional agenda of the General Assembly of the United Nations in order to consider, in the*

light of past application of the Agreement, whether it requires revision". This further shows the necessity to constantly revise the existing laws of space activities as new advancements are made. To put it in a nutshell, the current legal regime governing the use of outer space is incomplete and fails to answer all questions arising from human's activities in this realm.

- The current legal regime governing the use of outer space also addresses several commercial aspects such as the equitable use of geostationary orbit as well as establishment of intergovernmental organizations active in space-related issues.

- All conventions and agreements that have so far been drawn up insist on the peaceful utilization of the outer space. However, since major space activities are still done by a few countries, such concepts have not yet been put into real practice and terms such as "peaceful utilization" have remained ambiguous. Same thing can be said about "protection of the Earth's environment" and space being a "province of all mankind". Furthermore, as space-faring nations try to increase their dominance on the outer space, other countries struggle to protect their future benefits by taking part in lawmaking.

- Although laws governing space activities have always asserted that space shall be used exclusively for peaceful purposes, major space powers tend to interpret this in such a way that would permit quasi-military activities such as spying on what other countries do. In fact, space has gradually become militarized, thus enforcing the necessity for the constant revision of the existing laws of the outer space and the need for new regulations.

- Following the successful organization of the first space law workshop by ISA and UNOOSA in Nov. 2007, the Iranian Space Agency is now hosting the second workshop on Space Law, which is jointly organized by the United Nations Office for Outer Space Affairs and supported by Asia-Pacific Space Cooperation Organization (APSCO).

- Space Law, both at national and international levels, is still a very young field in most countries. Considering the advancements made in space technology and its applications, development of knowledge in the area of space laws becomes inevitable.

- The Islamic Republic of Iran initiated the idea to regulate space activities within the country and those that take place in collaboration with others through the establishment of the Iranian Space Agency and the Supreme Council of Space in 2003. Since then, ISA has given particular emphasis to space law alongside its technical activities to develop space technology and its applications. One of the missions defined for ISA's Office of International Relations has been to analytically study the concept of space law. In some cases which require further consultation at national level, preliminary reports are submitted to an expert committee within the Supreme Council of Space which deals with matters relating to space laws and regulations so that it may be examined by experts in all the related organizations in the country. The result is then ratified by the Council and submitted to the Iranian Parliament.

Dr. Ali Abbaspour Tehrani

Chairman of the Research and Education Commission, Iranian Parliament

- Considerable attention has been given to the Iran's scientific development in the past three decades such that today over 4 million students are studying in Iranian universities across the country and the illiteracy rate has gone down by 10 percent.

- We are proud to observe that important measures have been taken in Iran's Fourth Development Plan which has also been ratified by the Iranian Parliament, obliging the Iranian Government to take all necessary actions to make maximum use of the existing potentials in the country as well as the region in the area of space technology, nanotechnology, environmental studies, and aerospace engineering. This has led into many effective steps taken for further scientific advancements of the country, especially in stem cells and space sciences.

- The applications of space science and the role of satellites, especially in telecommunication, data transmission, meteorology, and remote sensing and the applications in agriculture and environmental monitoring, etc. must all be used in line with any country's sustainable development. To encourage such activities and further develop the country's space industry, the Iranian Parliament has taken the following actions:

    - In 2003, the Parliament ratified a law regarding the responsibilities and authorities of the Ministry of Information and Communication Technology. This, in turn, led into the establishment of the Supreme Council of Space, chaired by the Iranian President with members from various related ministries and experts to act as a legislation body with the approval of the parliament on various issues relating to space activities, coordinate the activities of various organizations, and compile mid-term and long-term plans in order to utilize space and space technology for peaceful purposes and oversee manufacturing and launching of research satellites.

    - In order to execute the decisions made by the Supreme Council of Space, the Iranian Parliament issued an order to establish the Iranian Space Agency to undertake the necessary research, design and manufacture satellites, and provide related services such as communication and remote sensing.

    - As one of the organizations working under the Ministry of ICT, Iranian Space Agency has established very strong and effective collaboration with Iranian universities in order to make maximum use of their expertise in the design and manufacturing of satellites, which is an important measure in the development of the country's space programme.

    - The Iranian Parliament has defined the following strategies for Iran' s space programme:

        - Investment in space education and research to provide its own human resources;

        - Attaining the latest technologies in the area of space in line with the country's needs and for peaceful purposes;

        - Expanding regional and international cooperation to promote space science and technology in the country;

- Making effective use of all the facilities, opportunities, and resources that exist in the region and in the world;
- Utilizing new technologies in space-related areas and applying them to various research centers in the country;
- Encouraging and facilitating investment in space affairs;
- Actively participating in regional and international seminars and forums;
- Compiling space standards;
- Developing of and providing the necessary equipments for space research centers and laboratories, with the priority given to those of the universities engaged.

- Regional and international cooperation play an essential role in today's space activities. Development of space science and technology requires sharing of knowledge; and doing so would not only benefit all countries involved, it would also serve humanity. Having this in mind, the Iranian Parliament ratified APSCO's convention in 2007 and a year later it approved the establishment of a regional center for space research in collaboration with the United Nations to promote further international and regional cooperation among states.

- The Iranian Parliament has so far ratified 2 of the UN Treaties and Conventions in Outer Space and is ready to consider the other ones once they are put forth by the Iranian Government.

- Referring to the Outer Space Treaty which states that space is a province of all mankind which shall be used exclusively for peaceful purposes, it is necessary to note that as a signatory of that treaty, the Islamic Republic of Iran has always intended to use space technology to the benefit of all nations, especially for the wellbeing of its citizens and believes that attaining such technologies is its undisputed right.

Mr. Ahmad Talebzadeh

Director of Space Research and Training Center, ISA

- The first workshop on space law in Tehran was held in 2007, hosted by the Iranian Space Agency and jointly organized by the United Nations Office for Outer Space Affairs.

- To host the space law workshop for a second time, Iran's proposal was submitted to the headquarter of UNCOPUOS. Following the Committee's approval, a protocol was signed between the Islamic Republic of Iran and the United Nations in Vienna. Executive responsibilities for holding the workshop were shared between Iranian Space Agency (on behalf of the Government of the Islamic Republic of Iran) and the United Nations Office for Outer Space Affairs (on behalf of the UN), followed by negotiations with the Asia-Pacific Space Cooperation Organization (APSCO), as a leading space organization in the region, to support the Workshop. The main theme of the workshop was then selected and a number of experts in space law were identified to be invited and deliver speech. A registration form was also uploaded on the websites of ISA and UNOOSA for Iranian and non-Iranian people whose backgrounds and interests matched the overall theme of the Workshop.

- This workshop has 6 main sessions:

    - International Legal Framework Governing Space Activities: Current Status and Trends

    - National Legislation and Policies Governing Space Activities

    - Trends and Prospects of the Development of International Space Law

    - Mechanisms for International and Regional Cooperation in the Exploration and Use of Outer Space

    - Promoting Education in Space Law

    - Recommendations, Observations and Conclusions