MINISTRY OF INFORMATION AND COMMUNICATION TECHNOLOGY
وزارت ارتباطات و فناوری اطلاعات

سازمان فضایی ایران
IRANIAN SPACE AGENCY

United Nations/Islamic Republic of Iran Workshop on Space Law
"Role of International Space Law in the Development and Strengthening of International and Regional Cooperation in the Peaceful Exploration and Use of Outer Space"

Session 2: National Legislation and Policies Governing Space Activities

Islamic Republic of Iran National Regulatory Frameworks on Space Activities

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Introduction

In the legal structure of the Islamic Republic of Iran, the parliament is the only body authorized for legislation. The original proposal of laws might be originated from the government cabinet or the members of the parliament in the form of bills or drafts, which will form a law after ratification by parliament and approval of the guardian council. This procedure applies also to joining and acceptance of all international treaties or conventions which are signed by the government.

Therefore lawmaking and regulation in the field of space activities of the Islamic Republic of Iran in general form should follow the mentioned procedure.

Infrastructure

In year 2002, a bill from the government was presented to the parliament in which, extensive alteration were exerted in the name, duties and responsibilities of the so called ministry of post, telegraph and telephone. This proposal had 15 articles whose articles no. 8 and 9 were referring directly to the space activities of the Islamic Republic of Iran.

Based on the article 8, the establishment of Space Supreme Council was requested, and article no. 9 referred to formation of the Iranian Space Agency.

Space Supreme Council

Based on article no. 8 of the foresaid bill, and in order to develop peaceful usage of outer space and space science and technology for cultural, financial, scientific and technological development of the country, the Space Supreme Council was established.

The secretariat of the council is in Iranian Space Agency (ISA) and the president of ISA is the secretary of the council.

Space Supreme Council

Some of the important duties of the council are:

- National policy making for peaceful usage of space technology and outer space
- Policy making for manufacturing, launch and usage of national research satellites
- Approval of all long-term and mid-term programs of all governmental and private organizations related to space affairs
- Coordination between all organizations acting in the field of space
- Conduction, direction and support of the activities of the private and cooperative actors in space sector
- Preparation of strategies related to regional and international cooperation in space activities and decision about the position of the government of the Islamic Republic of Iran in international assemblies and meetings

Iranian Space Agency

Based on article no. 9 of the bill, and in order to enforce the approvals of the Space Supreme Council, also to perform:

- Activities related to research, design, engineering and manufacturing in the field of space technologies and applications
- Reinforcement of space telecommunications networks
- Integration of all governmental activities in the field of space

the Iranian Space Agency was established and its president is the deputy minister of Information and Communication Technology.

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Iranian Space Agency

Some of the most important duties and responsibilities of ISA are:

1.To do research, planning, manufacturing and launching commercial, scientific and explorer satellites and also designing and establishing control centers and launching national satellites with cooperation of related institutions and organizations.

2.Study, research and develop technology and special applied educations on the ground of development of space science and technologies.

3.To survey the user needs and to conduct satellite project and other required technologies in order to develop space technology in the framework of related laws and regulations.

4.To cooperate in conducting national, regional and international satellite projects in the framework of general policies of Islamic Republic of Iran and other related laws and regulations.

5.Membership and presence in its respective regional and international associations and unions in order to protect national interests in the framework of the general policies of the Islamic Republic of Iran and other related laws and regulations.

Iranian Space Agency

In fact ISA in the framework of its tasks, authorities and responsibilities, is the competent authority to present drafts of national and international regulations to the council of ministers (government), so that after the approval, the proposals of ISA in the government will be sent to the parliament in the form of bills in order to acquire the final approvals and to be converted into the form of law.

Space supreme council and Iranian Space Agency are two integral bodies and it can be said that space supreme council determines general policies and approaches and ISA is the executive and technical organization which conducts and performs the general policies of the council.

Iranian Space Agency and Space Law

From the outset of its establishment, ISA has begun extensive and intensified attempts both in international and national area in order to promote capacity building in space law and regulating the national activities which have been accompanied by its attempts to abide by international commitments and promote the international cooperation in the framework of current laws and regulations. Among them the following cases can be mentioned:

1. Research contracts with law faculties in Iranian universities to analyze and criticize the international conventions and regulations related to space activities.
2. Research contracts with law faculties in Iranian universities in order to propose and give reasonable and well-justified responses to some of current challenges in space law, such as definition and delimitation of outer space or definition of aerospace objects.
3. To analyze and compare the legal status of member states of COPUOS .
4. To conduct national and international workshops on space law.
5. To conduct comprehensive studies on shape a general framework for creation of a single act (document) of space national law with consideration of national interests and international commitments.

Iranian Space Agency and Space Law

Also some legal fundamental investigations about important legal problems which are under discussion in COPUOS has been done in ISA. This will definitely provide a suitable ground for comprehensive legislation in this regard in future. Among these, the following carried out researches can be mentioned:

1. Surveying the differences between the international regime of air law and legal regime of space law.
2. Surveying the precedent and the custom of international law on international space claims.
3. Comparative studying of national space laws of other countries.
4. Comparative studying of bilateral legal agreements between some states for disarmament and peaceful usage of outer space.
5. Comparative surveying of bilateral agreements relating to remote sensing.

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Some ratified laws

The ratification of law of the convention of Asia-Pacific Space Cooperation Organization (APSCO) which was ratified in 2006 by the parliament of Islamic Republic of Iran. The most important objectives of this convention are:

- To promote and strengthen the development of collaborative space programs among its member states by establishing the basis for cooperation in peaceful applications of space science and technology
- To take effective actions to assist the member states in such areas as space technological research and development, applications and training by elaborating and implementing space development policies .
- To promote cooperation, joint development and to share achievements among the member states in space technology and its applications as well as in space science research by tapping the cooperative potential of the region.
- To enhance cooperation among relevant enterprises and institutions of the member states and to promote the industrialization of space technology and its applications.
- To contribute to the peaceful uses of outer space in the international cooperative activities in space technology and its applications.

Some ratified laws

Ratification of the law of establishment of regional center of space sciences and technologies with cooperation of the United Nations in central and western Asia in 2007.

According to this law, in order to create a suitable ground to achieve the goals and missions of ISA for promotion of international relations and services in the region, Iranian Space Agency is allowed to establish regional center of space sciences and technologies to provide services to the region of central and western Asia in the framework of regional and international common activities and with the cooperation of the United Nations.

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Future Steps

Relying on the steps that have been paced in this regard, ISA recognizing the current legal deficits in national space laws and regulations, hopes to make some proposals and movements in this regard in near future so that it can provide a good and suitable legal context for peaceful space activities of the Islamic Republic of Iran after paving through the legal processes.

It should be mentioned that without the cooperation of all related and active national institutions and of course without strong support of the parliament, no concrete result will be achieved.

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Thank you