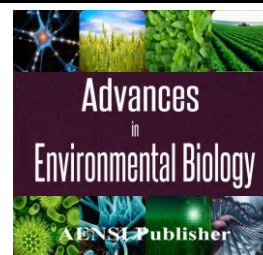




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The Study of Rules Governing the Privacy of Individuals Using the Satellite in Iran's Law and International Standards

¹Abdollahalameifar and ²Ali jani Pour

¹Department of Law Science and Research Branch of Kohgiluyeh and Boyer-ahmad, Islamic Azad University, Yasouj, Iran

²Department of Law Science and Research Branch of Kohgiluyeh and Boyer-ahmad, Islamic Azad University, Yasouj, Iran

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ABSTRACT

The Iran's rules governing the privacy law in the study using satellite although there are still many challenges. But in this paper the legal and international instruments relating to freedom of information and individual rights to privacy and the use of satellites is investigated. Penal Code on personal freedom and protecting the privacy of its citizens and for violations of criminal or civil liability is assumed. Along with the development of information technology tools given the nature and function of this tool will not tolerate boundaries, international organizations, both governmental and non-legal aspects of conflict as a result of the passing of photos of borders by the waves, the evolution achieved and sought to impose a new world order in light of the age of information has been taken. The main question 1. What consequences will follow the development of information technology? Sub question 1. Modern concepts such as "privacy" and "right to privacy" and "the state right" represents what are they for? 2. What has caused allergic states?

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INTRODUCTION

As a result of the civil human being has always been a need to communicate his life did not operate in a vacuum and exactly why people always need to communicate with his fellow men. Until recently, nuclear technology was considered an instrument of global dominance. The distribution and abundance of nuclear technology reduce fear. The government recently tried to find the means to impose its hegemony and found it. This new tool is the information technology. Means that there is no terror lies beyond it; building this technology was based on the fundamental human right to decent life, freedom of opinion and expression was based on having the right to be free that fundamental human rights in the context of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights was written. Here we will talk about the limitations on the freedom of information (freedom means having the legal authority) has sought legal and why the owners of the rights, duties will be assumed. It might be hard to find a civilization that the freedoms and rights derived from those freedoms, responsibilities is also recognized; but the main point is to accept one of two different views on freedom and constraint, different results will follow, should be the principle of freedom of establishment or the responsibilities outlined above?

The administration is always wise to impose minimal constraints to community rather than the freedom of a good thing is that it should be expanded, not hateful phenomenon that has always sought to further reduce and limit it. International regulations follow the same approach and States shall provide for the maximum powers and freedoms; limitations exception. And their actions should be implemented in a way that hinders and the content of the right of return. In fact, to determine the limits of the exceptions to the principle of self-image becomes clear. Concepts such as privacy, public order, national security, ethics, etc., of such entity are at first glance it is easy to exploit it. Europe during the war, most of the radio and the press range. Therefore, these countries urgently wanted the freedom of information are identified in the framework of the United Nations. In 1945, the Constitution of UNESCO with the aim of promoting the free flow of information between the United States and was written and arranged. A year later, the United Nations recognized the importance of freedom of information, freedom of information at December 10, 1948, citing the Universal Declaration of Human Rights, this release was determined area "Everyone has the right to freedom of opinion and express this right includes

Corresponding Author: Abdollahalameifar, Department of Law Science and Research Branch of Kohgiluyeh and Boyer-ahmad, Islamic Azad University, Yasouj, Iran

freedom to obtain and disseminate information and ideas, and it is through any media and regardless of frontiers". With the advent of the Cold War can be said that the free flow of information in this war North and South was contested and it was found that the socialist states could not reach an agreement within the meaning of the Freedom of Information because the political systems of these countries, particularly in Western radio broadcasts were resorting to the principle of sovereignty and non-interference. What is the evidence on the twenty-first century as the freedom of information is an important issue today it has more dimensions of cross-border flows of information have been accelerated by the emergence and rapid electronic networks, new actors in the international scene for the Defense of Human Rights and especially freedom of expression emerged (informal groups, social movements or organizations) according to the United Nations, the objective is to emphasize the utility of information used to develop and serve humanity.

Statement of problem:

The third wave is indeed a new way of life brought on a new institution which can be called a house based. [21] What is summarized in one statement by Marshall McLuhan and "turn the world into a global village", this means that people in different parts of the globe in countries such as the inhabitants of a village to connect with each other informed of news and events in the world. The rapid diffusion of information technology will change people's way of life for many people. Information in a general sense as the dominant power of the new century, with astonishing speed-based alternative energy industry is perishable. The rapid evolution of technology and productive application of information technology in human life, including dramatic changes in industrial structures, economic, political and civil society to create as many of the social revolutions of the nineteenth and twentieth centuries AD, rooted in social changes resulting from the development of different forms of technology in human life. Dr. Faramarz Rafi pour in investigating the causes of the Islamic Revolution to the modernization of inequality and the role of mass media, especially television, and facilitate domestic and foreign trips and refers to the perception of inequality and intelligent leader of the revolution, the revolutionaries, especially new tools such as cassettes and ... In addition to traditional methods, such as board and mosques to mobilize people in spreading discontent and thereby affecting the know. It changes with the introduction of new communication tools in social relations exist in the corner of our control. Become face to face interaction and relationships to relationships mediated reduction of visits and soiree, alienation of their relatives, etc. are among them. Changes in the cultural field and sometimes inconsistencies are as retrogressive cultural retardation (Cultural lag) to follow. It prevents the consequences of ignoring the benefits that will be discussed below. Advances in information technology and the use of its various mechanisms leading to the closure of the seed of a new human society known as the information society (Information Society), this new form of social coexistence has three characteristics:

- (A) Short distance into the collection community.
- (B) The flow of information as the main artery of community life
- (C) Conversion to product information [15].

Freedom of Information:

The term before entering the legal issues has been studied in the social sciences and why the authors of this branch of the humanities, exact definitions of these terms can be found. In many of the legal definition of this term is considered a given. Some conceptual information is not licensed, only in the sense that it is used. This decision is to determine what information is what information. It is defined as it is based on user attitudes and utilization of information is important. In fact, according to this view, the message for us is operable Information and otherwise, messages or information can not be considered as an exchange of ideas. Another group of information in any form transferability of knowledge or, in other words, data can take any form and manner while the need to route messages through the conduit may be a differentiable. The definition of a greater whole and also relies on information transfer and flow characteristics in the field of informatics, information and data collection the data set of raw data that must be processed into liquid. The results of the data processing referred to the information or data absolutely. [9]

Relationships between freedom of expression and freedom of information:

Basically, one of the advantages over other human beings have thought and thought. As social beings ideas can be confined within the boundaries. This was the exchange of ideas and thoughts that cultural heritage is transmitted from generation to generation and the various schools of thought and philosophical born and massive social upheavals and revolutions have emerged, all of these results requires express one's opinions and ideas from a leisurely enjoy. Freedom of expression is a dynamic community causes and out of stasis. It has been classified as civil and political rights of the population at various times and places by ethics and law within the agreed terms. Overall it can be concluded that the freedom of speech, freedom of expression is defined such that a person's thoughts, ideas, information, news, customs, religion and freely choose their ... and the incidence and spread without any fear and anxiety without access to information, freedom of expression will be limited

sense for this reason, freedom of the press to be inextricably linked to the release. Thoughts and ideas, and in general "information" reasonably related to the bilateral relationship; the relationship between the recipient and sender information from one side on the other hand, for this reason, rights, liberties, powers and duties of the parties to this relationship, each in itself a topic of study. Article 19 of the Universal Declaration of Human Rights in 1648 brought the first part of freedom of expression and freedom of information in the second sentence: "Everyone has the right to freedom of opinion and expression and this right includes freedom to hold opinions without interference and anxiety and in the collection and dissemination of information and ideas through any media and regardless of frontiers.

The freedom to receive and impart information among interdependent; that no one else will be meaningless.

Effects of modern communication technology on freedom of acquisition and dissemination of news and information:

Until not long ago, their power was interpreted in the light of access to nuclear energy. It is not long since the tool in which they have achieved increased Dooley, has a tendency to obsolescence. Currently, the widespread dissemination of new tools designed to spread nuclear technology is not and through which governments can not deal with the national interest. In the information age, in the exercise of world domination and superiority, in the light of modern communication technology set to dominate. Dominance on the technology, implementation of new international empire is possible. The competition in the production and stockpiling of nuclear weapons around the place compete in the communication technology. Technology is something that every community of any size that wants to stay closed and away from the handle, will not be able to protect themselves from its effects. This is the main distinguishing feature of modern information technology. Try and rush to ignore this technology, in order to eliminate the Closing out to be facts. It should be noted that modern information technology, dimensions, including the first sparkles of contemporary civilization, the human rights of God, is in line and as such, it is the negation of the negation of the most traditional and Asvlgratryn political systems as a deep-rooted traditions and principles of traditional societies considered. In this study, the effects of modern information technology to the enjoyment of the right to freedom of thought and distorted speech and the right of the technology is such that it poses a threat to international peace and security we will discussed.

Modern information technology and divine law (natural or innate):

Divine Right of spontaneous praise of man is as a rational creature. This means that if you take away the rights of the poor creature, his existence as a "human" is questioned. What is the law? Can you count them? The divine rights norms can be said that the human being is the prerequisite of perfection common human nature and the sentence awarded to him. The social and legal disclaimer may not transfer or leave them. The assignment of the rights to the "divine rights" to the "absolute state" in Europe, which aims to extend the power of incumbents were returned. This means that the law is not a ground source, so the king could be depriving them. Because the human being to the divine law of God and the Resurrection considere as existential philosophy. In other words, if the resurrection is the result of human freedom and choice in selecting the steer or the redemption of sin and depravity know, it gives freedom and human rights need to justify God. Divine law, despite the negligible differences in the interpretation of natural law or natural rights also called other names, such as that associated with compliance with the law of human nature. Yet, God's law can be used to manipulate the rulers of human societies, because of this law, unwritten, is vague generality and ambiguity in the interpretation of these passages thereby providing multiple and the law is contradictory. This failure led to the law, the legal reason for their existence was obtained from land bases, replaced by the divine law (Department of Legal Studies IRIB Islamic Republic of Iran, 2001). Currently, the Universal Declaration of Human Rights Covenants and other international instruments on human rights, such as the European Convention on Human Rights, Legal reflects the law of God was called. In other words, most of the expressions of the divine law, they were presented, today in human rights documents are presented, including the right to freedom of opinion and expression.

This right includes freedom to obtain and disseminate information and ideas through any media and regardless of frontiers they are. Article 19 of the Universal Declaration of Human Rights, paragraph one of Article 19, International Covenant on Civil and Political Rights and the European Convention on Human Rights and in particular Articles 9 and 10 of paragraph one of Article 10 of the Treaty, the above quote suggests, on the other hand, the right to obtain and disseminate information and ideas which "requires a tool of necessary information and publishing them. In other words, the phrase "with all possible means, is that it depends on access to their information and publishing and access this equipment except in the light of having the sophisticated technology of communication is not possible (Department of Legal Studies IRIB Islamic Republic of Iran, 2001). Thus, it is clear that the concept of the divine law in the light of new information technology has evolved, so that the enjoyment of these rights has become the subject of modern technology information or in other words, of which the kings were deprived of absolute government and its attempts to take away the rights of the people of God, equal to the loss of legitimacy was the right to tell people that it was a sacred duty, trying

to overthrow the government in power will come from. Now the law is the subject of modern technology information. To the enjoyment of these rights is subject to being able to achieve in the field of technology.

Privacy Freedom of Information Act:

In the twenty-first century, freedom of access to public information as part of the "freedom of information" or "free flow of information" is considered one of the most important principles of human rights. In this respect, the Government states that the structure can ensure free access to the information society, as countries are imperfect human rights issue. Democratic countries, has long been necessary to develop a generalized state documents or FOIA understand and have the necessary legal action. With recent developments in communication and information exchange technology and cybernetics space, free flow of information, a new society is a vital component and sooner or later all countries will have to accept this principle. Under the Freedom of Information Act, the government is required to provide access to documents and reports for the period specified, provide. However, this right is not unconditional and standards for which it is intended. The right to privacy is a matter of Article 14 and 18 are taken into consideration [8].

Article 14 1 the requested information relating to the privacy of individuals or among information the defect is related to student privacy. Access requests should be rejected.

Article 18 in order to protect freedom of information and public access to information in public institutions and private institutions that provide public services, program to be implemented in the areas of information, monitoring of the smooth performance, difference in how the information is subject to the law by creating precedent, culture, provide guidance and advice, the Commission emissions free access to information held by order of the President:

Cause of Welcome for satellite networks:

This is for several reasons. The main reason is the need to address internal networks might need to find a good answer for that. Sometimes at certain times of Television programs do not appeal and if the audience for advertising or any imaginary enemy news or movies and TV series and documentaries are not enough internal networks will definitely go elsewhere. So why does there have to be Study and to alert the parents to persuade them that the honor and chastity satellite programs and the protection of children, family and religious issues and social and political behavior has negative effects. Another reason people tend to satellite networks in the diversity and variety seeking Shbkhast inherent nature. A contact with a dish and receiver can easily be hundreds of available networks. Another reason is that some red lines that local media should be disregarded because they will not have to comply with external networks and not to sympathize with chastity and Hayaei our families. "Robert Murdoch" anti-Zionist Shi Wan is the founder of the Persian network certainly the sympathy and compassion to family's wages network, however, this problem is for some charm. (www.mtw-dini.ir quoted Hojatoleslam Nasrollahpour)

Collecting dish is not sufficient and must be culturally work:

Another trend is the satellite instead we work on the mind of the audience and express cultural and persuasive job losses issue pathology and satellite programs were limited by the prohibition of creating and collecting dishes unfortunately, incomplete implementation of the plan had no positive effect and sometimes prohibitions charm as well. It seems that with the implementation of a correct and complete and without discrimination law should work more on cultural and satisfying people's minds work. Another reason is that in our country's cultural institutions have not yet discussed how children's recreation in summer and holidays educational and leisure time to fill as well as the cultural, recreational, entertainment and artistic creation is abundant and cheap, accessible and attractive the satellite network, for example, 40 children, 30 sports network, network 120 music and poetry and hundreds of scientific and cultural networks, art, fashion, clothing, entertainment, 500 movies and 200 TV network, to attract audiences. [23] another cause, the problem of unemployment and loneliness in addition to unemployment, loneliness is an important factor for a lot of couples who have no children and women are unemployed to fill his spare time to help families turn to satellite mosque, spirituality, healthy cultural centers, sports and other leisure activities to fill their children and prevent them from unemployment and isolation. Cultural invasion, anti-Semitism and Islamophobia Iran One of the measures of anti-satellite networks and cultural aggression against our country is ... years ago, the leader in the provision of cultural invasion of the enemy, he repeatedly with explanations such as ambushes, cultural intrigue, cultural NATO and war, warned unfortunately, deserve no attention to the fact that 2014 was designated as the economy and culture. Enemy of the tools used by the media to attack our culture and with satellite programs and documentary films and serials and films like 300, Argo, The Stoning of Soraya, no girl ever, or anti-Islamic and anti-Shia films like the Sword of Islam, blockade, movies and shameful intrigue against the Prophet and the Qur'an urges the Iranian young and self-hate and regret not being Muslim and the identity of the young and he bowed to the Western lifestyle.

One goal is to vacate Jamhayrany satellites of traditional culture, Islamic, Islamic society from within, with the collapse of the military front and the hard work that could do with bombs and missiles, on the cultural front, the war with the help of the media and movies via anonymous young people do. National traditions and bow down alien culture, national identity and the destruction and degradation of concepts like freedom of speech, human rights, freedom of conscience and the depletion of the Persian language and literature of their beauty, beauty and Fashion victim promote and provide cover normal modes, expansion of consumer culture and consumerism, show the superstitions of religion, idolize actors, singers and soccer for youth, questioning the culture war, sacrifice and martyrdom and elections are all part of a concerted attack by hostile Western media culture in Islamic Iran.

Legal challenge of post television programs by direct broadcast satellite:

Resort to countermeasures in international law, as the law provides that as a response to the breach of international obligations. In fact, countermeasures, they are inherently illegitimate, but according to the original Mtkhlfanh action, under certain conditions, legal action will be taken. Hence, the government realized only in response to breaches of obligation, reciprocity can be reached. It is widely distributed in government policy, doctrine and jurisprudence is supported. Accordingly, previous offending behavior, a condition referred to resort to countermeasures [16]. The act defines Mtkhlfanh International Government, Article 3 of the Draft International Law Commission on the responsibility of governments, the element is considered. A relevant conduct constitutes an act or omission attributable to the State. Taken together, these two conditions, government action has yet to be infringing. Another interesting point is that just hit the violation of an international obligation (whether material or spiritual damage that he entered), right against the infringer to reach countermeasures; although the international crime, this concept covers the whole country (paragraph 40 of the draft three responsibilities of governments). Based on the above considerations in the direct broadcast satellite and countermeasures in international law, before entering into the discussion, should the legal description (legitimate or illegitimate) a satellite programs, challenges for the review so that the other criteria evaluated Countermeasures about the satellite TV program. The international community is the government, the legal basis of bilateral relations between our governments and international organizations. Regardless of developments in the context of history and social needs and requirements of international environmental governance has emerged the concept and scope, this principle, in the wind, the right to the exclusive jurisdiction of the territory, people and assets to the government grants (positive side) and He forbids interference in the affairs of others (negative aspect). Sovereign territory geographically land, sea and air will extend the government. In this regard, the international community through the development of international rules and regulations of the government in its territory do not hesitate to prohibit any offensive to it. [14]

One of the effects and consequences of the rule, prohibition of entry or exit from its territory without a license, although in the wind, examples of entry into its territory without authorization, of human and physical assets (aircraft, ships, oil pipelines, electricity and telephone cables, etc.) will come into the public mind, however, advances the possibility of waves and signals revealed that no physical manifestation. Since its establishment attached to the solid state and from any onslaught of the (physical or non-physical) feared, denied the right to reserve the use of land for purposes other states telecommunications (telephone-telegraph) are prohibited. Hence, the sovereignty of the barriers of communication hardware was in another country. However, in the interests of national and international governments to accept restrictions on their sovereignty became his neck and sometimes the creation of international organizations (such as the creation of the International Telegraph Union, the predecessor of the International Telecommunication Union) and tended to engage in cooperation and coordination. The invention of radio (1896) a new front has opened in the area. Radio programs are available to it by the people of other countries, does not depend on a platform of communication in their territory. This is due to the physical mobility of electromagnetism wave radio (and TV) are inherently possess. [6] Accordingly, the need for prior consent by the intensity and extent of the former in this field was introduced with the ups and down not too severe, freedom of radio programs abroad as civil rights gradually grew and in the light of the principles of freedom of expression and information was consolidated. But it is interesting with a direct broadcast satellite television programs, special prominence was once again the principle of freedom of broadcasting, in particular, if the terrestrial TV broadcasts Radio geographically limited scope (7,500 to 10,000 square miles) were found, direct broadcast satellite television, depending on the height of the orbit location and power satellites concerned, almost more than a million square miles of the important part - of the cover [10] Therefore, the debate among fans hardly necessary prior consent and sponsors the free flow of information and freedom of broadcasting in international organizations (Kopios, International Telecommunication Union, UNESCO, etc.) that may reach global consensus on this matter is postponed.

Front of the principle of state sovereignty and non-interference in their internal affairs, citing outstanding and due to their large number, was successful in the United Nations General Assembly, Resolution 37/92 (1982), also known as the principles governing the use of direct broadcast satellite television states with 107 votes against and 13 abstentions (to pass) the resolution explicitly supported the principle of state sovereignty

and the need for prior consent. The front of the other and headed by the United States of America, the need for prior consent is against the principle of freedom of information viewed and the universal validity of the principle of freedom of speech data driven. Nick suggests that if consistent with developing countries and some developed countries, we believe the principle of freedom of playing a figment of the mind countries like America and tools in order to develop cultural colonialism and the principle of state sovereignty and consequently the need for prior consent to send direct satellite programs, continues to be considered valid, countermeasures to justify action by governments that directly violate the sovereignty of satellite programs, found credible basis. In fact, in this case, according to the description of the unlawful practice of sending direct satellite programs, resort to countermeasures against it, the principle is legitimate; although the legitimacy of the injured party's response, he resorted to the lever of reciprocity (which decays to describe the alleged infringing act applies) Manichean. The second assumption is that on the one hand according to the practice of States in the field of direct satellite broadcasting and broad participation in this arena and the other with serious attention to the lack of effective response and recipient governments of the submitted plans, deduce that the freedom to play their way into the arena of public international law and the public is invoked. Do not resort to countermeasures against such acts are seemingly legitimate, justified and local government programs receiving submissions again free to deal with them? The brief answer is negative, it must be remembered that there is a right and how to apply it, the problem is different. What to look briefly over the decades through established international practice, the right to self-realize the direct broadcast satellite programs this Molazemeh little by little bag of Byqydvbnd themed programs and post it. Absolute lack of rights and freedoms is of the same angle in all legal systems are recognized.

In fact, the exigencies of social life (good morals, public order) and respect for the rights and interests of others inevitably impose appropriate restrictions and claims of violent crime have loosened. The importance of social values and the need to preserve and protect them, the government will have to contend with both national and international front. In the interior, even in developed countries like the United States of America, France and England that the principle of freedom of expression and the free flow of information are attached hard, the legislator has worked with various laws and regulations and the preparation of appropriate facilities, social care and research materials, perhaps no country has the right to freedom of expression can not be found radio and television broadcasts are unlimited and free to react; thus, governments that send unconditional satellite TV programs for other countries in the guise of the principle of freedom to broadcast and receive information camouflage, all dyes were trimmed kinder mother because this version is only prescribed for other recipient countries of satellite programs. (Department of Legal Studies IRIB Islamic Republic of Iran, 2001)

This behavior is inconsistent when more naked to find the relevant international instruments that have been based on their freedom of information, is provided important limitations to this right, but the official stance of the government, it would be hypocritical to ignore and the ignorance of the unity and integrity of the international human rights instruments, in line with their interests, is only part of the document. Regardless of all considerations, does not state the type of data and applications into its territory, it is quite indifferent. Accordingly, important limitations to the principles of freedom of expression and information in the relevant international instruments have been introduced. Article 19 of the Universal Declaration of Human Rights which states in a position to justify bit Alghzl vehicle is free of satellite programs, in paragraph two of Article 29 states that human rights (including the right to freedom of information) is not unlimited and in the context of the requirements of morality, public order and the general welfare is in motion. The Covenant on Civil and Political Rights, to respect fundamental limitations on the right to freedom of expression and information on the substance of the rights and restrictions (Article 19) located envisage and in the same paragraph of the need to respect the rights or reputations of others Tuesday, national security, public order, public health and public morality is driven to speak. Similar provisions in other regional instruments on human rights to freedom of speech data have been provided. In fact, the language of human rights instruments such as the freedom of information is just a glimpse of a right and to interpret more accurately, several restrictions that are in line with domestic interests, public morality, public order and the state. Absolute lack of freedom of information has also been strengthened by the fact that the relevant international instruments, particularly the Convention on Civil and Political Rights (Article 4) While the government did not allow the implementation of human rights in the event of an emergency stop, but the truth is that the law be suspended under certain circumstances has been detected. Hence, although the principle of freedom of information is established in international law, best expresses this principle, which basically entails responsibilities and obligations as well as content related information. These restrictions, all are based on the concept of "public order" in the domestic and international arena. On the other hand, it is important to note that freedom to broadcast and receive information is one. In fact, no player will receive the same information is nullified. With the deepening of the international instruments and negotiations that governments can play anything technically feasible, it may not be legally playable. Article 1 of the Geneva Convention of 1936, the program broadcast (radio) to the people of each country to encourage them to act contrary to the order and internal security is prohibited. The ban inciting civil war takes rebellion. In the opinion of some international experts, and the general principles of the Convention in 1936 indicates the

principles of international law apply in the case of non-member states is possible. The 1967 Treaty of outer space in the introduction, the United Nations General Assembly Resolution No. 11 in outer space, is already running. According to the resolution, which seeks to provoke or encourage any threat to the peace propaganda, breach of the peace or act of aggression or Mthmla outcome sought is prohibited. This is referred to as a step in the development of rules and regulations governing the satellite broadcasting. [6] Moreover, Article 1 of the Treaty declares that outer space to explore and use space, according to international law is open and accordingly, free satellite broadcasts the theme and content of the programs, that international law provides limited exceptions.

Clearly, though, along with other relevant factors, the Cold War also showed that there is no consensus on the content of the principle of freedom of play, [13] but the scope of the program is not limited only to illegal programs that are merely a security issue; in fact, cultural and moral values of the various international instruments have spoken out in support of them, are of great importance to the nation, a claim that even among countries with traditions and values, direct broadcast satellite television from seedlings concerns, had a special prominence. Therefore, experts believe that although satellite broadcasting plays an important role in understanding and promoting understanding among nations play, but the variety of countries as well as a previous fact, should be considered. This is one of the fundamental principles of international dynamics and applies to the whole world. In fact, it should be remembered through satellite diversity and attitude to impose restrictions on the right to freedom of speech broadcast details and get another opportunity sectors. In the context of the present discussion, the purpose of the show was the fact that even if the principle of freedom to broadcast and receive data is established in international law, again, due to the limitations and conditions which exist in terms of the content of satellite programs, right to control the state of the program and, if necessary, resort to countermeasures in place. It is clear that in terms of relativity concepts such as security, public order and good morals, the decentralized nature of the international system; determining the location of a program of personal jurisdiction in cases of illegal programs and responding to them is; although it could be the next step if necessary judgments third party (the same right to resort to self-defense under Article 51 of the UN Charter). Obviously at this point that the government has resorted to taking countermeasures against another State, recent government must prove the offense committed; [15] although, due to legal challenges, television waves, with direct broadcast satellites and the ambiguities and contradictions in this area, the burden of proof is very heavy and can Frsast.

Direct broadcast satellite to the main principles of implementing countermeasures in terms of ambiguity in the legal description of recent practice is difficult and accordingly, no choice but to plan various assumptions. As indicated, countermeasures are inherently unlawful act, because it constitutes a breach of the affected state (Article 47, Paragraph a Draft Plan International Law Commission on the Responsibility of States), however, in certain circumstances, however illegitimate act stripped injured party. Hence, according to the above considerations, the assumption can be made:

First assumption: dealing with direct broadcast satellites broadcasting programs (broadcast jamming and trade sanctions (in the government) the need for prior consent and consequently get free satellite TV program) as a violation of international. In this case, as indicated, is defined as the reciprocal of the above actions, in a narrow sense would be bug-free.

Second, direct broadcast satellite television programs in response to the violation of the principle of free flow of information (and the right to receive information as an example of human rights). In this case, the affected programs can disrupt satellite broadcasting programs or resort to other countermeasures, and the protection of national interests and government programs sender to stop sending out applications and compensation for damages. This is on the condition that the government stands to prove satellite transmitters government programs with its international obligations in this action (the act of self-respect or distribute the content posted) is ignored. His second countermeasure should be among the prohibited acts. Third of contradictory behavior seriously loves is avoided. In the latter case, it should be noted that "the victim of a breach of the obligation itself is defined in unilateral is there a need to resort to reciprocate or not? And even be able to act in a biased manner. " However, due to ambiguities in the legal regime of direct broadcast satellite (in terms of program content), heterogeneous reaction of the government on the satellite TV program content is relatively equal, he can assess the accuracy of the claim (eg, as dictated by broadcasting sex with her good behavior) is effective [15].

Need to apply for shipments of illegal satellite programs and dispute to the authorities:

Resort to countermeasures in international law, the exceptional and temporary nature and in terms and the consequences that may be relevant in relations between governments and in the international community to provide, should be considered as a last resort. Accordingly, if the stop request through the mere act of violation and compensation to achieve the desired result, no longer need to resort to countermeasures. In fact, "the logic that lies behind the countermeasures, the result is that effective remedies. Hence, if this result can be achieved only request compensation, in that case, the need for reciprocity does not arise in this respect, in principle,

countermeasures must be taken not meet later on demand » [15] According to the International Law Commission, the International usually not affected by countermeasures to reach, if unjustified and illegal trespassing unless the government to act against loss due to his refusal to be experienced. Draft article 48 of the International Law Commission on the responsibility of governments, the injured party before taking countermeasures, to negotiate with the various government envisage and if there is any competent authority, referred to the dispute resolution. It should be noted that "although no strict rule about content, there is no compensation; however, this request must be effectively and decisively expressed trespassing on the seriousness of the consequences of non compliance to the demand pressure. Although not specified in the request does not need to specify the type of reciprocity, however, the compensation shall not be affected by the treatment of symptoms that afflict him run the application. However, if the infringer to negotiation or dispute to the competent authorities Nnhad neck or did not pursue in good faith dispute resolution process, affected state has the right to resort to countermeasures or suspension abandon their previous countermeasures. In this case, because the previous government tried to compensate for losses suffered through the usual sterile remaining. For him there is no choice but to resort to countermeasures. It seems that the priority of compensation to resort to countermeasures, it is vulnerable to justify the non-essential items, rights and interests of the state (or others) to be impressed by the interaction and a simpler way of compensation to the affected state. Nevertheless, it seems that if a certain type of reciprocity and losses solely to protect yourself is for design, need not act contrary to the initial request stop. For example, if the noise broadcast transmissions received not only the plans submitted in the territory of the State concerned (and as a safety net for the government), he can negotiate directly with the transmitter without the program, taking adultery; but if you go to the probability distribution of the noise, effects and consequences beyond mere prevention programs received by private borrowers have or target a wider range of countermeasures (eg, obstruction of government property transmitter satellite programs), the need for negotiation is needed. Satellite programs need to stop sending requests and invitations to negotiate becomes more justified in cases a satellite channel exclusively for a given country illegally broadcast programs. In this case, it is technically possible to comply with the request by the program and it can withstand the high cost of broadcast jamming.

Freedoms of the media and the constitution:

Free flow of information and the natural right of the people to disseminate and receive information and the right to freedom of expression and opinion, are the cornerstones of the formation and development of the mass media. The most basic rights as human rights in democratic societies are known and any public or private place not deprive citizens of utilizing them. Some lawyers in the definition of a press release that it "part of individual freedom" know "whereby people's thoughts Copyright and their ideas through literature or of the press in the model, without publishing them on study leave or cease to be subject to censorship [11] The constitution of the Islamic Republic of Iran, the media to express their contents except those that violate the principles of Islam and public rights-free. Although references to media constitution limited to those mentioned above, but the basic principle of freedom of expression and publish the essence and spirit of driving all media, including books, press, radio and Symast, and emphasis has been approved. Article 24 of the poems that the press and freedom of expression in the media unless they violate the principles of Islam or the rights of the public. The length specified by law. Boundaries and limits the constitution for magazines, newspapers and all the media has given, seems clear. The first line of non-interference with the "Islam" means the cornerstones of Islam is based on the principle of two states and they are located. The second area of "public rights" means the rights that all people possess. General legal terms of "freedom and equality to all types and sorts it is said, such as freedom of occupation, freedom of religion and freedom of conscience and political and freedom of education and equality before the law and equality before the courts and equality in taxation and formal equality in jobs and so on. "Basic rights can include a personal right of each citizen as well. To the case of slander, libel and affront by the mass media are not, when faced with such a situation, the right to publish your reply using the same media or to the right to see their regulatory bodies. Hence, the cases referred to in the press, in 64, without the name of "privacy" or "personal rights", he also covers such rights. In Amendment 79 of the Press Law, the term "privacy" to "public law" has been added if the purpose of adding these words, adding more restrictions than the limits set forth in the constitution this is clearly contrary to the constitution if the same item in the definition of "public law" is pointless and beneath legislator.

Given the current state of the world and the importance of advertising and information, we have carefully considered and acted and the decision that the social reality is far more aspects of self-deception, stay away. While the satellite also have detrimental effects on cultural values and ethics of our absolute liberation of the long-term but we should not lose sight of the positive aspects of satellite and because of its damaging effects remain excluded from its benefits. The way to prevent the people of satellite dishes and of course this aspect is secondary to basic measures in order to compensate for the prohibition or denial to do; in other words, our Islamic state with Islamic rules and the legal monopoly to provide useful and entertaining programs of the satellite in this way, the principle of respect. 1. Choose satellite programs according to Islamic principles and

moral 2. Open the cultural and according to legal requirements, especially the youth and the realization of the first paragraph, to the extent of their underlying cultural openness and healthy country. This important addition to explaining the cultural values insiders and outsiders involved, recent posts satellite TV program aims to reveal and promote awareness in this field. This action constitutes an antidote against evil and deviant satellite programs and ban a minor and consequential action is but if the basic measures listed above may no longer be able to implement the ban we have not the result will be educated on their own satellites. Of course this is not to deny that its ban on public opinion has created some resentment towards satellite programs and deterrence aspect in promoting unbridled proliferation of satellite programs in families considerable and appreciation of the founders of the adoption and implementation of this law, but should not be considered as final and fundamental solution. Note that the total elimination of social deviance and delinquency are not and should not be targeted, the goal is to reduce deviance and deviant, so although we can not succeed in doing the personal use of satellite programs to reach zero in any case, people who are willing to use the free satellite the expiration if one of the exceptions to the ban, global networks are authorized to receive direct satellite programs the legislative purpose of the Act was to provide safe and relaxed atmosphere and Immoral Society of ethics has become elusive desires and internal agents of global arrogance and they will not be antisemites. This study aims to evaluate various aspects of Article 10 of the Law on the Prohibition, the legislative instruments described in the domestic and international arenas. Although the domestic and international sphere, what measures can be expected to deal with satellite broadcasts and if so, which ones are effective and how to cope better solution in sight, inter alia, that the investigation was contemplated and interaction. It seems the more you play, and a satellite TV program adoption, effective international action, at least in the near future however, it should also be noted that coordination of government programs suffer from a satellite and their solutions, in order to strengthen the foundations and principles of law can prohibit the sending or receiving step and to persuade the international community to respect the rights of those countries; legal according to international human rights instruments have been repeatedly stressed. This correlation is affected only by the international community of satellite programs can demands on the basis of their cultural rights strengthened then, by adopting common practices in international law to adjudicate the issue.

Suggestions:

In this context, proposals to establish that:

1. The international community through international organizations worldwide and regional governments should be the successor of its human rights obligations of refuse.
2. No document independent of cultural rights among countries not set it should be noted that, firstly, and secondly to identify and sanction procedures, it is predicted. Hence, it seems appropriate to the initiative of international organizations and their affiliated organizations such as UNESCO, treaty or convention to be prepared and with the consent of the various countries, while acknowledging the right to cultural identity, exclusive authority to investigate violations of the right to determine, in the World Trade Organization (WTO), reference embedded resolve disputes Disputes arising from failure to implement the treaty has taken over.

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