

# Michigan Journal of International Law

---

Volume 5 | Issue 1

---

1984

## Front Matter

Michigan Journal of International Law

Follow this and additional works at: <https://repository.law.umich.edu/mjil>

---

### Recommended Citation

Michigan Journal of International Law, *Front Matter*, 5 MICH. J. INT'L L. (1984).

Available at: <https://repository.law.umich.edu/mjil/vol5/iss1/21>

This Front Matter is brought to you for free and open access by the Michigan Journal of International Law at University of Michigan Law School Scholarship Repository. It has been accepted for inclusion in Michigan Journal of International Law by an authorized editor of University of Michigan Law School Scholarship Repository. For more information, please contact [mjil.repository@umich.edu](mailto:mjil.repository@umich.edu).

**MICHIGAN YEARBOOK OF  
INTERNATIONAL LEGAL STUDIES**

**VOLUME 5**

**1984**



# **Regulation of Transnational Communications**



# **Regulation of Transnational Communications**

1984

Michigan Yearbook of  
International Legal Studies

Clark Boardman Company, Ltd.  
New York, New York

Copyright © 1984 by Clark Boardman Company, Ltd.  
All rights reserved. Printed in the United States of America.

**Library of Congress Cataloging in Publication Data**

Main entry under title:

Regulation of transnational communications.

(Michigan yearbook of international legal studies; 1984)

Includes index.

1. Telecommunication—Law and legislation—Addresses, essays, lectures. 2. Artificial satellites in telecommunication—Law and legislation—Addresses, essays, lectures. I. Title. II. Series.

K4305.6.R44 1984

341.7'577

84-9223

ISBN 0-87632-437-5

**To Samuel D. Estep,**

**Professor,  
University of Michigan Law School**



**Editor-in-Chief**

Leslie J. Anderson

**Editors**

Stephen E. Chelberg, *Student Notes*  
Kathleen P. Dempsey, *Student Notes*  
Clifford E. Douglas, *Appendix*  
Paul Falon, *Senior*  
Hugh Hewitt, *Research and Development*  
Diann H. Kim, *Senior*  
Ria Majeske, *Senior*  
Charles R. Meyer, III, *Managing*  
Sheryl Powers, *Senior*  
Scott Riemer, *Senior*  
Robert J. Rosoff, *Articles*  
Carl A. Valenstein, *Articles*  
Ann Vix, *Senior*

**Staff**

Kenneth W. Baisch	Jennifer R. Levin
John B. Bulgozdy	Jill L. Martin
Thomas J. Clemens	Andrew S. Mine
Elizabeth A. Downey	Robert J. Portman
David B. Fenkell	Rochelle B. Price
Earle Giovanniello	Stephen M. Schiller
James F. Guerra	Robert O. Schwarz
Frederick J. Hood	Linda Shore
Darlynda K. Key	Mary E. Snapp
Thomas J. Langan	Walter E. Spiegel
George Lavdas	Jonathan Zorach

**Faculty Advisory Board**

William W. Bishop, Jr.  
Alfred F. Conrad  
Samuel D. Estep  
John J. Jackson  
Eric Stein

# Preface

The advent of two communications technologies in the nineteenth century, the telegraph and telephone, profoundly changed relations among states, by both providing for and necessitating increased transfer and receipt of information. The technological developments in computers and satellites that have occurred since World War II offer an equally great promise and challenge to international relations in the late twentieth century. Rapid computer transfer of information can stimulate economic growth and relay vital information to wherever it is needed; it can also spread information the individual would justifiably prefer left private. Direct broadcast satellites facilitate global exchange of television programming, but if this process is culturally one-sided, such programming could lead to massive social disruption. Clearly international legal efforts at the regulation of communications must consider all sides of issues with very complex social, political and economic implications.

It was with the hope of contributing usefully to the extensive debate surrounding the regulation of the new communications technologies that the editors of the *1984 Michigan Yearbook of International Legal Studies* chose this topic. Once selected, it has provided our contributors and student authors with a variety of issues in public and private international law. The volume begins with the theoretically interesting and practically important question of how to allocate justly what is becoming a limited resource: orbital slots for communications satellites in the geostationary orbit. It next considers European efforts to exploit the new communications satellites on a regional scale. This discussion is followed by a group of articles exploring the possibly deleterious effects on both international trade and communications of national attempts to regulate the international transfer of information. After a consideration of certain legal issues raised by new developments in specific technologies, the volume concludes with a group of articles discussing past and present efforts of the member states of international organizations to effect an international regulatory scheme that will succeed in balancing widely differing national communications needs. Although somewhat disparate, the articles are knit together by recurring themes of human and national rights and, most fundamentally, by their writers' shared recognition of the need to regulate communications in a manner that narrows rather than enlarges the gap between those

viii REGULATION OF TRANSNATIONAL COMMUNICATIONS

countries with well developed communications industries and those without.

# Table of Contents

## PART 1

### Regulation of the Geostationary Orbit

Major Legal Issues Arising from the Use of the  
Geostationary Orbit

*Stephen Gorove* 3

The Space WARC: International Accommodations for  
Satellite Communications

*Martin A. Rothblatt* 13

The Political Economy of Orbit Spectrum Leasing

*Harvey Levin* 41

## PART 2

### Regulation of Satellite Communications

Some Conflicting Trends in Satellite Telecommunications

*David M. Leive* 73

## PART 3

### Regional Developments in Satellite Communications: European Perspectives

EUTELSAT: Europe's Satellite Telecommunications

*Simone Courteix* 85

Steps Toward a European Agreement on Satellite  
Broadcasting

*Frits W. Hondius* 103

x REGULATION OF TRANSNATIONAL COMMUNICATIONS

Legal Framework of Communications Programs in the European Space Agency <i>W. M. Thiebaut</i>	125
--	-----

**PART 4**

**The Impact of National Regulation on Trade in International Communications**

Restrictions on Trade in Communication and Information Services <i>Geza Feketekuty and Jonathan David Aronson</i>	145
Reciprocity in International Telecommunications Trade: A New Trade Barrier? <i>Sheryl Powers</i>	169
The International Application of the Second Computer Inquiry <i>Robert M. Frieden</i>	189
Private Leased Telecommunication Lines: Threats to Continued International Availability <i>Jill L. Martin</i>	219

**PART 5**

**Regulation and Developing Communications Technologies**

Integrated Services Digital Network: Issues and Options for the World's Future Communications Systems <i>A. M. Rutkowski</i>	243
The Council of Europe Convention and the OECD Guidelines on Data Protection. <i>Jon Bing</i>	271
Current Issues in Remote Sensing <i>I. H. Ph. Diederiks-Verschoor</i>	305

**PART 6****United States Participation in the International  
Regulation of Communications****U.S. Preparation for ITU Conferences: WARC '79, a Case  
Study***David B. Fenkell*

319

**PART 7****International Efforts Toward the Regulation of Communications****A Historical Survey of the International Regulation of  
Propaganda***Elizabeth A. Downey*

341

**Direct Television Broadcasting and the Quest for  
Communication Equality***Howard C. Anawalt*

361

**Prior Consent and the United Nations Human Rights  
Instruments***Walter E. Spiegel*

379

**Jamming and the Law of International Communications***Rochelle B. Price*

391

**INDEX**

405

