

## BOOK REVIEW

INTERNATIONAL TELECOMMUNICATION CONTROL (INTERNATIONAL LAW AND THE ORDERING OF SATELLITE AND OTHER FORMS OF INTERNATIONAL BROADCASTING). By *Delbert D. Smith*. Leydon: A.W. Sijthoff, 1969. Pp. 231.

Our author's study ranges far in its scope. The only complaint we feel compelled to make concerns the title. It is too sweeping, requiring a subtitle which, in its turn, is also inexact. In fact, the book deals with international controls of radio and television broadcasting. Having said that, it is only fair to state that it is a well-written study on a vital aspect of international relations.

The book falls, roughly, into two parts. Chapters I-IV deal with the current status of law and international practice as regards control of broadcasting, while chapters V-VII discuss the technological revolution resulting from the use of space satellites for direct broadcasting and an impending reform of the international law of telecommunications, including the reorganization of the international agencies in charge of control. A summary review of the component chapters will suggest the breadth and impact of this most important contribution to the area of international law.

### I

International control of telecommunications began in 1865 with the founding of the International Telegraph Union (ITU), which began as an international organization of European states and later expanded to include non-European countries and territories. In 1903, the Union expanded into the new field of telephone communications. In 1906, the International Radiotelegraph Union was established, which, though headed by a separate Plenipotentiary Conference, was served by the International Bureau of the older Union established in Berne. This arrangement lasted until 1932, when, during the Plenipotentiary Conference of both Unions in Madrid, a single organization was established and the first Telecommunication Convention, dealing with telegraph, telephone, and radio, was adopted. Following the 1947 Conference held in Atlantic City, the Union was accorded the status of a specialized agency of the United Nations.<sup>1</sup>

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1. D. SMITH, INTERNATIONAL TELECOMMUNICATION CONTROL (INTERNATIONAL LAW AND THE ORDERING OF SATELLITE AND OTHER FORMS OF INTERNATIONAL BROADCASTING) 18-19

At an early date, the Telegraph Union had developed the legislative technique subsequently followed by other international organizations. Telecommunication was always an area of rapid technological change. As a result, the technical rules providing the framework for international cooperation of the member governments were in constant need of updating and amending. This created special problems. Theoretically, each time a rule was amended it was supposed to go through the process of formal adoption and ratification. At the same time, it was recognized that some method of assuring continuity of work was essential, and a special technique for the amendment and approval of basic texts was invented. Distinction was made between matters of substance, which belonged to the Convention, and those which were technical in nature. Currently, amendments to the Conventions are handled by the Conferences of the Plenipotentiaries, which are conducted every five years. The establishment and revision of administrative regulations are left to the bodies of specialists, easily assembled and meeting more frequently in administrative conferences. Another feature of the legislative process formulated by the Telegraph Union which the Telecommunications Union follows is that each revision of the Convention or of the administrative regulations produces a new convention, or new regulations, which replace former texts *in their entirety*. The innovation in adopting these new conventions is that, although they require ratification, they come into force on a specific date whether or not all members have deposited the required ratification documents. This procedure permits the continuous and normal functioning of the Union. Hence, affairs of the Union are governed by a succession of conventions, the Buenos Aires Convention of 1952 having been replaced by one adopted in 1959 which was in turn supplanted by the convention of 1965.<sup>2</sup>

The organization of the Union reflects two fundamental principles: It is (1) an international organization of sovereign states that (2) handles an area of international cooperation in the interest of the international community at large. The Plenipotentiary Conference embodies the first while the Administrative Council, established in 1947, the second. The Plenipotentiary Conference consists of representatives of all members while the Council consists of 29 members elected by the Plenipotentiary Conference.

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(1969) [hereinafter cited as SMITH]. See also E. YEMIN, LEGISLATIVE POWERS IN THE UNITED NATIONS AND SPECIALIZED AGENCIES 59-60 (1969).

2. SMITH 18-19; E. YEMIN, *supra* note 1, at 61-66.

In addition, separate administrative conferences have been established to study and prepare regulations dealing with problems peculiar to particular forms of telecommunication. Thus, one conference assisted by a team of experts is concerned with the telephony and telegraphy media while another confines its attention to the specific problems of radio and television.<sup>3</sup>

## II

Practically all governments have recognized the fact that broadcasting is an important instrument of government and information, both internally and internationally. The result is a high degree of public control in order to assure efficient performance and cooperation by the industry in the preservation of public order, defense of the country, and support for governmental policies. Also, radio broadcasting is of singular usefulness and importance in the area of foreign policy.<sup>4</sup>

The International Telecommunication Union represents the broadest framework for international cooperation in broadcasting. However, it has no monopoly in broadcast regulation. There are other international agents, primarily regional in character, controlling relations between the members of the international community in this respect: European Broadcasting Union, International Radio and Television Organization (Soviet bloc countries), Asian Broadcasting Union, and the National Radio and Television Organizations of Africa, to mention the principal ones. Different in character are special systems established on the basis of national services addressed to special foreign audiences reflecting the political, economic, or cultural connections existing among the participating countries. Such services exist between Britain and members of the Commonwealth, France and French-speaking countries, and the Soviet Union and the socialist world.<sup>5</sup>

## III

Conflicts of interest, arising in connection with broadcasting activities and international disputes, are a consequence of the technology of broadcasting. Two situations must be distinguished: conventional broadcasting with the use of short and medium waves,

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3. SMITH 27-29.

4. *Id.* at 36-37.

5. *Id.* at 124-30.

and direct broadcasting with the use of space satellites. Inasmuch as direct broadcasting differs technologically from the conventional method, legal problems connected with its control will take shape differently. The crux of the matter is that Hertzian waves do not respect sovereignty and lend themselves to abuse.

Medium waves are transmitted with the use of a directional antenna, which produces a beam somewhat resembling that of a searchlight reflector. The signals follow the curvature of the earth. Signals transmitted by means of short waves travel in straight lines and bounce off the ionosphere and return to earth. The point of return is variable, depending upon the angle at which the waves hit the ionosphere and the height of the ionosphere. This ionospheric condition affects reception and also affects the effectiveness of jamming, the only method open to the state to deny its airspace to foreign unauthorized broadcasts.

Foreign broadcasts may be a technical nuisance, because they may interfere with domestic services and render them ineffective. In addition, they may be politically dangerous, even if not addressed to foreign audiences.<sup>6</sup>

There is no technique which would restrict broadcasting to politically defined territories. Arrangements have been made internationally to permit all members of the international community to employ radio for their national purposes and to permit international cooperation in radio broadcasting. The method is allocation of frequencies through the International Frequency Allocation Board of the ITU which, while assuring free use of allocated frequencies by the broadcasting facilities in various countries, at the same time opens the airspace—internationally—to each radio facility. This method of frequency allocation, while effectively promoting peaceful uses of the radio, opens foreign airspace to hostile propaganda, a practice as old as the radio itself.<sup>7</sup>

To summarize, conventional broadcasting presents legal problems on two levels. It is a national problem, because it lends itself typically to national exploitation and control. It is also an international problem, requiring intergovernmental cooperation to insure that each nation may exploit its own facilities without interference.

A different set of legal problems emerges in connection with

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6. *Id.* at 5-7; *cf. id.* at 100-01.

7. *Id.* at 22, 29-31, 100-01.

broadcasting with the use of space satellites for direct telecasts. Experimentation with satellites began as early as 1958 with the launching by the U.S. Army Signal Corps of a relay satellite controlled by ground stations (Project Score). It was followed by a more sophisticated satellite, Courier, which was able to perform highly complicated functions. These early experiments were a prelude to a series of satellite launchings, including Telstar I and II, Syncoms I, II, and III, and Relay I and II which demonstrated the feasibility of establishing a global system for telecommunications transmissions.

By 1962, the telecommunication satellites were developed to the point that the United States Government took the initiative to establish an international facility for direct broadcasting on a global scale with the use of a ring of Intelsat satellites of the NASA Syncom design. Two series of Intelsat were developed. While Intelsat I provided for transmission between two earth stations, Intelsat II satellites could carry simultaneous transmissions from several earth stations. Eventually, the system was to use Intelsat III and IV and would consist of 40 satellites.<sup>8</sup>

#### IV

Article 4 of the Montreux Convention on Telecommunications (1965), currently in force, set the goals of international cooperation:

[T]o maintain and extend international cooperation for the improvement and rational use of telecommunication of all kinds, to promote the development of technical facilities and their most efficient operation with a view of improving the efficiency of telecommunication services, increasing the usefulness and making them, so far as possible, generally available to the public; to harmonize the actions of nations in the attainment of those common ends.<sup>9</sup>

The direct result of this Convention is an agreement among states that an international organization, ITU, shall allocate wave lengths to various nations and stations, and shall coordinate efforts to eliminate harmful interference between radio stations of different countries and improve the use of the radio frequency spectrum. Nations are free to use assigned wave lengths as they please. There is, however, a reservation which may result in the denial of the

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8. *Id.* at 142-51.

9. International Telecommunication Convention (Montreux), Nov. 12, 1965, [1967] 1 U.S.T. 575, 587-88, T.I.A.S. No. 6267.

national airspace to foreign transmissions, which is a reflex of the basic rule of sovereignty:

Each Member and Associate Member reserves the right to suspend the international telecommunication service for an indefinite time, either generally or only for certain relations and/or for certain kinds of correspondence, outgoing, incoming or in transit, provided that it immediately notifies such action to each of the other Members and Associate Members through the medium of the Secretary-General.<sup>10</sup>

Article 15 of the Montreux Convention further provided for a procedure to resolve disputes arising in connection with harmful interference. The state in which the interference is experienced is to notify the state of origin of the broadcast and request it to desist. If this fails, the complaining state may inform the International Frequency Registration Board of the violation and the Board may investigate the matter and make recommendations to the parties involved. But this is all it can do. While it is possible to speculate whether joining the ITU does not in fact limit the freedom of action by the member states the practice of a number of states (Soviet Union, Red China, and other members of the Socialist Commonwealth of Nations) suggests that the present law of international telecommunications is unable to restrict the freedom of states to interfere harmfully with the rights of others.<sup>11</sup>

Another essential aspect of the state-centered system of the international control of broadcasting is that it relies on state action and international legislation for enforcing its rules, both within sovereign territory as well as on the high seas and in international airspace.<sup>12</sup>

Although in the present structure of international law the state and its interests are in the center of the legal system, scientific and technological progress tends to internationalize technologies of modern civilization, rendering collective decisions essential for progress and development. National claims tend to be superseded by international claims and this fact is increasingly finding expression in the rules of law. Rules of this type belong to a different category because they are no longer centered upon, and hence are in direct conflict with, the principle of national sovereignty.

In the first place, provisions of Article 55 of the United Nations Charter state the purpose of the United Nations and its members to

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10. *Id.* art. 33, at 619.

11. SMITH 32-35.

12. *Id.* at 99-132.

be the promotion of "universal respect for, and observance of human rights and fundamental freedoms for all." Article 19 of the Declaration of Human Rights of 1948 provides that "[e]veryone has the right to freedom of opinion and expression; this right includes freedom to hold opinion without interference and to seek, receive, and impart information and ideas through any media regardless of frontiers."

Freedom of information was found to be restricted by the practice of jamming foreign broadcasts as a defense against hostile propaganda. The question of freedom of communication was discussed in the United Nations, and various resolutions have been proposed without success. A good deal of difficulty in providing a balance between a free flow of information and defense against hostile propaganda was due to disagreement as to what constitutes hostile propaganda, and the matter rests there.<sup>13</sup>

While the regime of telecommunication law and of the ITU are still state-centered, some concessions to important international interests have been made. Foremost among these is the technique, discussed above, of amending the provisions of the telecommunication convention dealing with administrative rules. As the ITU at this time includes some 130 member-states, collective interests clearly outweigh those of individual members.<sup>14</sup>

While legislative process, as developed in the ITU conventions, has departed considerably from the principle of national sovereignty, new techniques of telecasting with the use of satellites offer a chance to reduce further the national control of broadcasting, as technical possibilities of satellite direct broadcasting suggest its use on a global scale. Only exceptionally in cases of very large countries such as the United States, Brazil, the Soviet Union, or Canada shall satellite telecasting lend itself to national use. Furthermore, national use of telecommunication satellites opens up new and unprecedented possibilities for penetrating foreign airspace. In the minds of many, the exploitation of the new techniques of broadcasting calls for international control, not only in terms of the organizational framework of international cooperation but probably also at the managerial level.

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13. *Id.* at 11-17; cf. J. WHITTON & A. LARSON, PROPAGANDA TOWARDS DISARMAMENT IN THE WAR OF WORDS 195-209 (1964); Grzybowski, *Propaganda and the Soviet Concept of World Public Order*, 31 LAW & CONTEMP. PROB. 479 (1966).

14. SMITH 18-19; E. YEMIN, *supra* note 1, at 61-66.

## V

As broadcasting with the use of satellites is a space venture, it is subject to those rules of space law which have been established in practice and confirmed as the resolutions of the United Nations. Two principles seem to be basic for the system of international law in this connection. The first is that space ventures, involving overflight of the national territories of other states, do not constitute a violation of the national sovereignty of subjacent nations.<sup>15</sup> The second is the principle of participation. Resolution (XVI) No. 1721 of the United Nations General Assembly ruled that satellite communication should be made available to the nations of the world on a global and nondiscriminatory basis,<sup>16</sup> and prompted the enabling agreement to specify that

satellite communication should be organized in such a way as to permit all states to have access to the global system and those states so wishing to invest in the system with consequent participation in the design, development, construction (including the provision of equipment), establishment, maintenance, operation of the system . . . .<sup>17</sup>

Steps taken by the United States Government, which initiated efforts to establish a global system of communication satellites, provided for a wide participation of international interests. The 1962 Communication Satellite Act provided that its purpose was to

establish, in conjunction and in cooperation with other countries, as expeditiously as practicable a commercial communications satellite system . . . which will be responsive to public needs and national objectives, which will serve the communications needs of the United States and other countries, and which will contribute to world peace and understanding.<sup>18</sup>

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15. U.N. General Assembly Resolution 1962, containing the Declaration of Legal Principles Governing the Activities of States in the Exploration and Use of Outer Space, G.A. Res. 1962, 18 U.N. GAOR, Annexes, Agenda Item No. 28, at 27-28, U.N. Doc. A/5549/Add. I, para. 6 (1963), and Resolution 1963 on International Cooperation in the Peaceful Uses of Outer Space, G.A. Res. 1963, 18 U.N. GAOR, Annexes, Agenda Item No. 28, at 28-29, U.N. Doc. A/C.1/L.332/Rev. 1 (1963), were both adopted unanimously on December 13, 1963. 18 U.N. GAOR 2 (1963). See 1963 U.N. YEARBOOK 93-110. The Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space Including the Moon and Other Celestial Bodies was signed in January 1967 by the United States, Soviet Union, and Great Britain, Jan. 27, 1967, [1967] 3 U.S.T. 2410, T.I.A.S. No. 6347.

16. G.A. Res. 1721, 16 U.N. GAOR, Annexes, Agenda Item No. 21, at 5, U.N. Doc. A/C.1/L.301 (1961).

17. Communications Satellite System, Aug. 20, 1964, [1964] 2 U.S.T. 1705, T.I.A.S. No. 5646.

18. 47 U.S.C. § 701(a) (1964).

Subsequently, the Communication Satellite Corporation (COMSAT), a private entity controlled by the United States Government, was set up to “plan, initiate, construct, own, manage, and operate by itself or in conjunction with foreign governments or business entities a commercial communications satellite system.”<sup>19</sup>

In the following year, two agreements were made with a large number of countries. The first, a truly international agreement, provided for the establishment of a commercial global communication satellite system and provided for the formation of an international body to control and distribute costs among the cooperating participants. The other “Special Agreement,” which was signed by a number of government departments and public and private corporations in charge of the operation of the system, dealt with the operation of earth stations and of the space segment.<sup>20</sup>

The United States Government is strongly in favor of a single world system for the international control and operation of direct broadcasting. While the majority of states has signed the two agreements, there is no agreement as to the monopoly insisted upon by the United States. The Soviet Union is developing its own national system of telecommunication satellites, while other states, notably Japan, France, and Canada, are planning limited international systems of their own.<sup>21</sup>

At this moment, there is little hope that all countries will agree to run a communication satellite system jointly, employing American equipment, even on terms of equality as regards the voting rights, opportunity for investment, and distribution of revenue. This would mean, initially at least, the monopoly of American products and foreign financing of United States economic development in this area. The Soviet Union, another great power with technical capability to develop its own equipment,<sup>22</sup> is not likely to agree to be served by an American-equipped telecommunication satellite system.

An article by Yu. Kolosov in *The Moscow Izvestia*,<sup>23</sup> which

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19. *Id.* § 735(a)(1).

20. SMITH 148-49.

21. *Id.* at 149-50.

22. From what our author tells us about the Soviet telecommunication satellite system, it consists of an orbiting series of satellites and 20 earth stations, which will receive signals from the satellites for their transmission to other stations, thus providing for control of content of the local broadcast. *Id.* at 150.

23. Kolosov, *Television and the Law*, *Izvestia*, Dec. 3, 1969.

appeared some time after the publication of Mr. Smith's study, suggests that the Soviet Union finds little virtue in the idea of a global system of telecommunication satellites. The Soviet expert asserts that international direct broadcasting would retard the development of national broadcasting and television facilities. However, he recognizes that it would be to everyone's advantage to come to an agreement as to the terms of the rules governing direct telecasts. Kolosov directs his attention toward the general rules of international law governing direct telecasts. Space is open to all on the basis of equality according to the Outer Space Treaty of 1967.<sup>24</sup> Space activity must be based on respect of state sovereignty and noninterference in the international affairs of other states. Space activities, he says, are the preserve of governmental activity, and private companies and corporations engaged in it should be placed under strict government control. Space satellites should not be employed for hostile propaganda, as this contradicts the principle of peaceful coexistence.

Thus, the tenor of the article is of concern with the general rules governing space activity in the area of telecommunication, but reflects a total lack of interest in the global system of telecommunication satellites.

Mr. Smith's study came out at the moment when interested governments were discussing the future regime of direct broadcasting. Various proposals to that end have been advanced. At the center of the discussion is the American plan<sup>25</sup> which was based on the idea that direct broadcasting should be carried through a global satellite system. All countries were invited to participate. Foreign personnel were to be employed by COMSAT, while participating governments would be offered financial and technical assistance to be able to participate in the system's financing and operation. The American plan also insisted on extending Intelsat's control to regional and domestic systems. According to the American plan, direct broadcasting would not be subject to UNO or ITU control.<sup>26</sup>

In its central principle, the American plan recalls to mind

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24. Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial Bodies, Jan. 27, 1967, [1967] 3 U.S.T. 2410, T.I.A.S. No. 6347.

25. See *Messages From President Johnson to the Congress*, Aug. 14, 1967, 57 DEP'T OF STATE BULL. 296 (1967).

26. SMITH 153-54.

American plans for control of nuclear energy, submitted to the United Nations, which provided for the setting up of an international agency controlling the production of nuclear materials and free access to such materials by the member states.

There is considerable opposition to the American plan. It is spearheaded by the Soviet Government, which desires to place the regime of space telecommunication under the control of the United Nations where the principle of veto would apply.<sup>27</sup> France, Japan, Canada, and Germany, while participating in Intelsat, also plan their own systems.

Discussions regarding the regime of the direct broadcasting system take place on two levels. The United Nations Organization established a Direct Broadcast Working Group which studies legal aspects of the international direct broadcasting system. ITU is engaged in the study of the feasibility of international control of direct broadcasting under the auspices of the telecommunication convention, should that convention be expanded to cover also this medium of telecommunication. At the ITU space telecommunication studies are the responsibility of the International Radio Consultative Committee which maintains close relations with the United Nations Committee on Peaceful Uses of Outer Space.

One of the issues debated by space scholars is the delimitation of airspace, over which national sovereignty extends, and outer space which is free to all nations. Various proposals were suggested which were reminiscent of the discussions entertained during the first attempts to determine legal problems arising in connection with air travel in the post-World War I era.<sup>28</sup>

At the center of the many legal questions arising in connection with international broadcasting is the problem of handling unauthorized and harmful broadcasts. In Chapter VII our author proposes to establish a separate international agency, the International Broadcasting Commission, either within the ITU Organization or as a separate United Nations agency, to handle legal problems connected with the use of telecommunication satellites. The agency would be responsible for establishing international criteria to determine what constitutes harmful transmissions. It would develop a system of checks and balances to control abuses in the exercise of sovereign rights in direct

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27. *Id.* at 153-60.

28. *Id.* at 160-77.

broadcasting and would provide machinery for settling disputes between the states. Finally, the International Broadcasting Commission would be a licensing authority to authorize inserting telecommunication satellites into outer space.<sup>29</sup>

Without going into the specifics of those proposals, it is clear that our author thinks that modern technology in space telecommunications will offer new opportunities for placing the entire system of international broadcasting under truly international control. He finds similar opportunities for providing a technique for adjusting conflicting interests of the individual states, thus achieving the goal of effective and credible world public order in telecommunications. Agreement on essential points of this order is rendered even more urgent as the space law of today permits free access and broadcasting to the satellites of any country because lack of effective control would expose weaker countries to hostile propaganda carried by the nations with greater industrial capabilities.

There is little prospect at this moment that a single, centrally managed system of communication satellites will be established. It is obvious that major powers or defensive alliances will seek to establish their own systems, if only for defense or political propaganda purposes. And yet advantages which the Soviet Union enjoyed heretofore in the war of words will tend to disappear because its enormous area and distances will no longer be an asset but rather a liability. New technology may produce an agreement as to the principles of peaceful coexistence in this area of international law.

## VI

Telecommunication law is far from being a homogeneous system of legal rules. It consists of a series of what may be conveniently called frameworks of law, each of them expressive of a different principle and serving a different purpose. Their general role is to organize international relations while emphasizing the different aspects of those relations. Some of the frameworks are state-centered; others are community oriented. There is also an incipient framework of legal rules which has absolutely no connection with the institution of the state but aims at the realization of human rights, introducing rights of the individual into international law and international relations.

It has been said before, but it bears restating, that emergence of

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29. *Id.* at 185-94.

various frameworks of the telecommunication law is in the first place due to the change in social conditions, affected by new social values resulting from scientific and social progress. Telegraph, telephone, radio, and telecommunication satellites have each opened new possibilities for communication, and have strengthened cohesive forces in the international community. At the same time, they have opened the door to new techniques of ideological warfare, creating a highly undesirable situation in international relations. Hence, there is a growing need for a centralized approach to regulate the exploitation of the new techniques and to prevent their employment for warlike purposes.

Structural characteristics of the telecommunication law are also those of the international law as a legal system in general. Its various branches also develop in response to changing social conditions under the impact of the technological and scientific progress. In certain areas, new technologies strengthen national claims for security or for access to economic resources. The law of the sea offers a classical example. The width of the territorial seas was expanded in the modern law of the sea. Rights of the littoral states were recognized in relation to the continental shelf. The doctrine of terrestrial gravitation, the sector theory favoring national sovereignty, seems to have become the legal rule governing international relations as regards the arctic.<sup>30</sup>

While the changes in the area of the law of the sea take place in response to the growing needs of the state to control the adjacent maritime areas, in other areas of international law the tendency is to seek solutions by legal rules strengthening the collective interests of the international community. Examples of such frameworks may be seen in the law of space, international law of disarmament, peaceful uses of atomic energy, and human rights areas. The limited territorial claims in the antarctic and the protection of marine resources is motivated by community interests. The characteristic feature of all these areas of legal regulation is the recognition of the interests of the entire international community, although the number of active participants in space ventures, in nuclear armaments, and production of nuclear materials is rather limited. However, the ability to influence the tenor and the shape of international legislation is not restricted to those who actually explore space,

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30. D. O'CONNEL, *INTERNATIONAL LAW* 549-60, 571-79 (1965); cf. K. GRZYBOWSKI, *SOVIET PUBLIC INTERNATIONAL LAW* 190-92 (1970).

produce atomic weapons, or control nuclear materials. Cooperation of the other members of the international community is also needed in order to establish a general regime. The nonproliferation treaty may be proffered as an example. Participation of all the states of the world, whether producing nuclear materials or not, is essential in order to assure its effectiveness. In the area of human rights, while international community-wide recognition is theoretical rather than practical, regionally, as in Western Europe, human rights have become a firm institution of international law and an effective framework of legal rules.

It is traditional in international law that states are bound only by their consent. However, important departures from this principle have been made as regards treaties and convention charters of international organizations. Such charters and treaties evolve through practice of international organizations, very much as domestic legislation does. The United Nations Charter offers numerous examples of such developments.

Still another example is international administrative law, implemented by the international civil service loyal to international organizations which they serve.<sup>31</sup> The status of the international civil service is a consequence of the independent status of the international organizations, which are no longer collective channels for the cooperation of their members but are members of the international community in their own right. This is attested to by the right of some of them to make international treaties with other organizations or states.

Thus, the image of international law, as it emerges from the enquiry into its structural characteristics, is that it consists of a number of frameworks of law dating back to various periods of history, expressive of differing legal principles, and serving various social interests depending upon the area of international relations which they are destined to regulate.

The interaction of these frameworks is subject to constant change, and the general tendency is towards constant growth of the broader interests of the international community, either conceived as an association of states or as an association of humans whose rights also tend to claim a growing attention in international relations.

Kazimierz Grzybowski\*

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31. See E. YEMIN, *supra* note 1. See also C. JENKS, *THE COMMON LAW OF MANKIND* 43-45, 163-68, 208-30 (1958).

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