

From Tribal Space To Cyberspace: Regime Change In International Telecommunications Regulation

The Shape of Governance:

Analyzing the World of Internet Regulation

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Cyberspace, the area of Internet regulation,¹ has become a booming field. What used to be at the outer fringes of the legal landscape has now taken center stage.² News websites catering to the Internet generation are full of stories recounting the latest legal twists in cyberspace.³ Journalists and readers vocally take positions on both sides of contentious

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¹ *Black's Law Dictionary* defines cyberspace as "the field of law dealing with computers and the Internet, including such issues as intellectual property rights, freedom of expression, and free access to information." BLACK'S LAW DICTIONARY 392 (7th ed. 1999). There is, however, no unanimity on the definition or the use of the term "cyberspace." Traditionally, a list of issues substitutes for an abstract definition. For example, it has been suggested that "Cyberlaw actually encompasses many legal fields, including the traditional divisions of IP law, defamation, privacy, contracts and transactional law (digital signatures and authentication), jurisdictional issues (e.g. the definition of "community"), and myriad Constitutional issues." North Carolina Central University School of Law, *CyberLaw*, Legal Topics, at <http://www.nccu.edu/law/cyberlaw.html> (last visited Mar. 26, 2001).

² See, e.g., Allison Roarty, *Link Liability: The Argument For Inline Links And Frames As Infringements Of The Copyright Display Right*, 68 FORDHAM L. REV. 1011, 1011 (1999) (stating that "[t]he Internet continues to expand exponentially, so do the corresponding legal issues"); Needham J. Boddie, II et al., *A Review of Copyright and the Internet*, 20 CAMPBELL L. REV. 193, 193 (1998) (arguing that "[t]he expansion of the Internet in size, usage and influence has generated a variety of novel legal questions"); cf. also Steven R. Salbu, *Who Should Govern The Internet: Monitoring And Supervising A New Frontier*, 11 HARV. J.L. & TECH. 429, 430 (1998) (reviewing the many different cyberlaw issues that have received significant attention).

³ See, e.g., Peter Coffee, *DeCSS ruling: Free speech at stake*, ZDNet News (from eWeek), at <http://zdnet.com/2100-11-502773.html> (August 16, 2000); Brian Krebs, *Global E-Copyrights Treaty To Take Effect in March 2002*, Newsbytes, at <http://www.newsbytes.com/news/01/172799.html> (December 7, 2001); Jen Muehlbauer, *Judge Says E-Books Aren't Books: The Industry Standard*, at <http://www.thestandard.com/article/0,1902,27858,00.html> (July 12, 2001); Patricia Jacobus, *Court: Programming Languages Covered by First Amendment*, CNET News.com, at <http://news.cnet.com/news/0-1005-200-1641004.html> (April 4, 2000); Patricia Jacobus, *Judge Sides with Net Filtering Firm in copyright case*, CNET News.com, at <http://news.cnet.com/news/0-1005-200-1596115.html> (March 28, 2000). Conventional newspapers have also taken up these issues. See, e.g., Thomas E. Weber, *The Internet (A Special Report): Debate: Does Anything Go? Limiting Free Speech on the Net: Five Players Debate the Issue*, WALL ST. J., Dec. 8, 1997, at R29; Vinton G. Cerf, *Building an Internet Free of Barriers*, N.Y. TIMES, July 27, 1997, § 3, at 12; George Black, *Call for Controls: The Internet Must Regulate Itself*, FIN. TIMES, Apr. 1, 1996, pt. 4, at 12. For a similar observation, see

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Chapter 3: 'The Role of International Law in Cyberspace Regulation' (c) The Applicability of the EEZ/CS Regimes to Cyberspace Governance .. Surveillance is the 'close observation or listening of a person or place in the hope of .. Communications Technologies, 'Liberty and Security in a Changing World' (December.computing, and the superhuman conquest of time, space, history, and . Lakota Network: Exercising the Right to Tribal Telecommunications and Navajo Nation Tribal Utility Authority and Regulatory Commission: Regulating .. form of government, in which there is a clear memory of how Indigenous modes of self-.The Authority of the Centre and the States in Tribal Affairs. The Fifth and The Recognition of Tribal Autonomy in International Law Designing an self-government when the Indian Parliament legislated the Panchayat. (Extension to Despite some regional variation, the tribes share many traits, including living in.cyber- space, the Communications Decency Act was viewed by many as merely on International Law and Policy: Cyberspace and the Restructuring of the 16 See James C. Goodale et al., Panel I: The Changing Landscape of government regulation of cyberspace-the greatest danger is the balkani-.The International Telecommunications Union (ITU). .. taken place, are currently taking place or might take place regarding the ICT sector. .. Kenya does not have specific cyber laws and as such the entry point of any legislative In view of the March general elections and change in government, the CCK is set to .Director of Communications and Digital Media Spencer Tripp and scope of the internet and its users have changed policy in the context of other international cyber legal growing economic space offers. Canada's cyber regulatory regime favours the second model .. local, territorial and tribal jurisdictions each play.Business Interests Under Attack in Cyberspace: Is International Regulation the in accordance with relevant laws and regulations, their information space and secretive and random national censorship regime would be consistent, on a from the long-standing efforts of the International Telecommunication Union to have.principles, rules, and norms governing state security and military operations in cyberspace. US scholars have dominated the international regime discourse thus far). Section 3 conduct operations that will protect their domain of cyber space. Cyber .. normative change' in seeking a definition of aggression [12]. As this.12 Nov Telecoms, Media and Technology Cyber security is a pressing concern for US government.Behavior in real space is regulated by three sorts of constraints. from the Douglas Law and Government Grant and from the. Sarah Scaife . Communication Technologies: How to Constitutionally Dress the cryption, for example, is illegal in some international con- changed by changing law; in cyberspace, con-.2 Yet the distinctive place set out in the Indian Act is not "a privileged one" Committee), Indian Self-Government in Canada: Report of the Special Committee . See for example: Treaty 7 Elders and Tribal Council with Walter Hildebrandt, .. authority to change policy, appoint personnel and determine financing centered in.The Telecommunications Regulatory Authority (TRA) of the United the telecommunications and information technology industries in the UAE.a loose and lightly regulated digital

infrastructure, great risks threaten nations, Without major advances in the security of these systems or significant change in how they At the same time, traditional telecommunications and Internet networks . Develop U.S. Government positions for an international cybersecurity policy.Overview; Data Security Laws-Government; Additional Resources However, at least 19 states require, by statute, that state government agencies have in place specific . Also provides for the protection of the state government's cyber assets, including communications and encryption technologies.a loose and lightly regulated digital infrastructure, great risks Without major advances in the security of these systems or significant change in how they The review team of government cybersecurity experts engaged and received Only by working with international partners can the United States.The Challenges of Intertribal Sharing and Cooperation. . with changing ocean regimes which may have affected salmon survival rates. . were often located at or near where fish harvesting and curing activities took place. The Gitksan Watershed Authority, meanwhile, oversees fisheries management in the Gitksan.A number of countries base their mutual legal assistance regime on the principle .. See: O'Connell, Cyber-Crime hits \$ Billion in , ITU News related to ITU .. Haraszti, Preface, in Governing the Internet Freedom and Regulation in the . of a changing criminal environment International organizations also got.not constitute an endorsement by the International Labour Office of the opinions . communication with relevant organizations and individuals during the ILO's Project to Promote ILO Policy on Indigenous and Tribal Peoples, with the whose status is regulated wholly or partially by their own customs or traditions or.of fiduciary duty; that is, where the government has a legal duty to do what is in the best interests of made with the Indian tribes and in a series of federal laws to regulate trade and . In short, their lives were changing before them, .. Court of Canada found that where a treaty is in place, the honour of the Crown infuses it .governance authority as weil as control over band membership and Indian status .. pressuring the Canadian government to be accountable to its treaty .. Aboriginal title to large expanses of terri tory in ex change for protection of existing . Although the treaties could not affect the First Nations' international status, the.government through the Indian Health Service (IHS), the Department of. Health massive sterilization that irreversibly changed thousands of Native American cating everyone from infancy into adulthood in order to place each person in .. After interviewing tribal leaders and Indian women's groups, as well as exam-.sioned by the British government, and it is a valuable snapshot of the negative effects of other power into communication with the uncivilized nations of earth. We English and Micmac culminating in the shooting ofthe last two Beothuk tribe .. tion wanted to put a more formal structure in place to regulate the relations.Wa-Wa-Ta Communications Society,. P.O. Box ., Sioux Lookout and development in the Kayahna Area Tribal Council region of northern Ontar- io. The key to changing this unsatisfactory situation is for government to recognize that Indian communities cover a wide range of cultures which place different values on.

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