



Washington University School of Law

## A Research Guide to International Investment Law

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## **I. Introduction**

This research guide is intended to help would-be researchers find literature on international investment law. The following annotated bibliography covers the major sets of international investment law collections and the secondary sources owned or subscribed to by the Washington University School of Law Library. Some international investment resources on the Internet are also listed. You also may use *Guide to international legal research* (3rd ed. 1998 K85 .G85 1998 on Reserve) as your research guide.

## **II. Primary Materials**

The primary materials of international investment law include multinational, bilateral investment/trade agreements, and domestic laws and regulations towards foreign investments and investments to be made in other countries. It is therefore important to know foreign investment legislation, as well as national tax laws, antitrust laws, securities, corporate, environmental, and labor laws.

### **1. International Agreements**

International agreements regarding investments can be found in the Convention of the Settlement of Investment Disputes between States and Nationals of Other States and in the following international trade agreements:

- The Agreement Establishing the World Trade Organization and its Annexes, which include the GATT 1994, a series of Multilateral Trade Agreements, and a series of Plurilateral Trade Agreement,
- North American Trade Agreement,
- other regional trade and investment agreements.

To find the full text of international trade agreements, you may use:

International Legal Materials

Washington, D.C. : American Society of International Law, 1962-  
PER

This periodical is also available on WESTLAW and LEXIS.

Basic Documents of International Economic Law  
on LEXIS (ITRADE/BDIEL)

## 2. Bilateral Treaties

The United States has entered bilateral investment and tax treaties with many foreign nations. You may use the following publications to find bilateral treaties:

**Treaties and international agreements online:** Over 10,000 U.S. Treaties indexed, with full text searching. The text of treaties is available for viewing, printing and copying in accordance with the license agreement. To access this online database, point your web browser to the Law Library Homepage, click on **Research Databases**, choose **TIARA U.S. Treaties Researcher** in the pull down menu. After you log into the Oceana Online, choose **Treaties and international agreements online**. The library only has one simultaneous user so please log off after you finish searching.

Bilateral investment treaties / by Rudolf Dolzer and Margrete Stevens.

The Hague ; Boston : M. Nijhoff c1995.

Including "Chronological list of bilateral investment treaties"

K3830.4 .D65 1995

Investment promotion and protection treaties / compiled by International Centre for the Settlement of Investment Disputes

New York : Oceana Publications, 1983-

v. (loose-leaf) ; 27 cm

Spine title: Investment laws of the world. Investment treaties Issued with companion publication: Investment laws of the world Contents is arranged chronologically, 1960-

K1112 .I542

CCH Tax Treaties Reporter

This is a part of CCH Tax Library on the Internet subscribed by the law library. To access it, use a computer in the law school building and point your web browser to the Library's Research Database page at <http://ls.wustl.edu/Infores/Library/EResources/> and choose CCH Tax Library, then choose International folder.

Rhoades & Langer U.S. international taxation and tax treaties

New York, NY : Matthew Bender, 1996-

KF6419 .R45 1996

## 3. Foreign Nations' Laws

The Law Library subscribes to most common law countries' primary legal materials, EU legislatures and some other foreign countries' statutes,

such as Russia, China, Japan, and Korea. You may also try the following publications to find individual country's legislatures regarding its foreign investment policy:

Investment laws of the world

Dobbs Ferry, N.Y., Oceana Publications, c1972-10 v. (loose-leaf)

Prepared by the Investment Centre for Settlement of Investment Disputes  
K1112 .I54

Commercial Law of the World

Ormond Beach, Fla. : Published for the members of the Foreign Tax Law Association, 1972-  
K1004.15 1972

Tax laws of the world

Ormond Beach, Fla.: Published for members of the Foreign Tax Law Association,[1964?]-  
K4459.15 1964

#### **4. International Investment Dispute Cases**

ICSID reports : reports of cases decided under the Convention on the Settlement of Investment Disputes between States and Nationals of Other States, 1965 / edited by R. Rayfuse ;  
Cambridge : Grotius Publications, 1993-  
K3834.A495 I27 1993

ICSID review: foreign investment law journal

Washington, D.C. : International Centre for Settlement of Investment Disputes ;Baltimore, MD : Johns Hopkins University, 1986-  
The journal includes cases.  
PER

World Trade Organization dispute settlement decisions : Bernan's annotated reporter  
from 1997-  
K4600 .W67 1998

### **III. Secondary Materials**

Washington University School of Law Library has a strong collection in international investment law. To find what the library has, please search the library's online catalog via the Internet at <http://catalog.wustl.edu/search~b1o1c1i1 a1/> or via the online cataloging terminals throughout the library. If you are looking for law review articles, please try the following indexes first.

#### **1. Periodical Indexes**

(1) Current Law Index, Foster City, Calif. : Information Access Company, Jan. 1980- , monthly updating. (The printed version is located in the Reading Room, K33 .C87.)

Current Law Index is an extensive index to legal articles. All the legal articles about international investment are indexed under the subjects of foreign investments, international trade, and dispute resolution of international law. The electronic version of Current Law Index (the coverage is from 1980 on) is available on WESTLAW (LRI) and LEXIS (LAWREV/LGLIND), and is called "Legal Resource Index". The library also subscribes to the web version of this index on the Internet. To access this database, go to a computer connected to the law school's LAN and point your browser to the Library's Homepage, click on the "Research Database" at <http://ls.wustl.edu/Infores/Library/EReso urces/> and then on "LegalTrac SearchBank."

(2) Index to Legal Periodicals, [New York, etc.] : H.W. Wilson Co., Jan. 1908-, monthly updating, except September. (The printed version is located in Reading Room, K9 .N32)

H.W. Wilson's Index to Legal Periodicals provides an index to articles from more than 500 legal journals, yearbooks, institutes, bar association organizations, university publications, law reviews, and government publications. The electronic version of Index to Legal Periodicals (the coverage is from 1981 on) is available on WESTLAW (ILP) and LEXIS (LAWREV/ILP). The library also subscribes to the web version of this index on the Internet. To access this database, go to a computer connected to the law school's LAN and point your browser to the Library's Homepage, click on the "Research Database" at <http://ls.wustl.edu/Infores/Library/EResources/> and then on "Index to Legal Periodicals."

(3) Index to Foreign Legal Periodicals, Berkeley, CA : University of California Press for the American Association of Law Libraries, 1960- , quarterly updating. (The printed version is located in Reading Room, K33 .I38)

The library also subscribes to the web version of this index on the Internet. To access this database, go to a computer connected to the law school's LAN and point your browser to the Library's Homepage, click on the "Research Database" at <http://ls.wustl.edu/Infores/Library/EResources/> and then on "Index to Foreign Legal Periodicals."

## 2. Current Awareness: Newsletters

International trade reporter. Current reports  
Washington, D.C. : Bureau of National Affairs, 1984- , weekly  
HF1 .I685  
This newsletter is also available on both WESTLAW and LEXIS.

BNA's International Trade Daily  
Available on both WESTLAW and LEXIS.  
International law & trade perspective  
Washington, D.C. : International Law & Trade Perspective, 1987- , monthly  
PER

International lawyers' newsletter  
Washington, D.C. : International Lawyers' Newsletter, 1979- , bimonthly  
NEWLT

Inside U.S. trade  
Washington, D.C. : Inside Washington Publishers, 1983-  
HF1455 .I57

## 3. Textbooks and Major Monographs

WTO analytical index : guide to WTO law and practice / by Geneva : WTO Publications ;  
Lanham, MD : Bernan, 2003  
K4602.2 2003

This two volume set serve as a guide to the interpretation and application of Marrakesh agreement Establishing the WTO. It picks up from where the GATT Analytical Index leaves off, drawing upon the findings and decisions of WTO panels, the WTO Appellate Body, and other other WTO bodies.

The multinational enterprise and legal control : host state sovereignty in an era of economic globalization / Wallace, Cynthia Day; New York : Martinus Nijhoff, 2 ed. 2002; K1322|b.W34 2002

International business transactions : a problem-oriented coursebook / by Ralph H. Folsom, Michael Wallace Gordon, John A. Spanogle, Jr.  
5rd ed.  
St. Paul, Minn. : West Pub. Co., 2002.  
KF1976.A4 F65 2002

The library also has the Hornbook and Practitioner's Edition which are kept on reserve.

International trade and investment in a nutshell / by Ralph H. Folsom, Michael Wallace Gordon, John A. Spanogle, Jr  
St. Paul, Minn. : West Pub. Co., 1996  
K3943 .F65 1996

Going international : fundamentals of international business transactions : July 12-16, 1999, Palo Alto, California : ALI-ABA course of study materials / sponsored with the cooperation of Stanford Law School.  
[Philadelphia, Pa.] : American Law Institute, c1999.  
KF390.B8 I57 1999

Protecting foreign investment under international law : legal aspects of political risk / Paul E. Comeaux, N. Stephan Kinsella  
Dobbs Ferry, N.Y. : Oceana Publications, c1997  
K3832 .C66 1997

Model foreign investment law : with annotations / Don Wallace, Jr. and Robert B. Shanks ; annotations by David A. Levy  
Washington, D.C. : International Law Institute, c1996  
K3830.4 .W34 1996

#### 4. Looseleaf Services and Other Continuations

Legal environment for foreign direct investment in the United States 3rd ed. / edited by Robert C. Goodwin, Jr., Michael R. Calabrese  
Washington, D.C. : International Law Institute, c1994  
1 v. (loose-leaf) ; 26 cm  
KF1575 .L43 1994

Handbook of WTO/GATT dispute settlement / [edited by] Pierre Pescatore, William J. Davey, Andreas F. Lowenfeld  
Ardsley-on-Hudson, N.Y. : Transnational Juris Publications, Deventer :Kluwer Law & Taxation Publishers,1991- 2 v. (loose-leaf)  
K4602.2 1991

Transnational economic and monetary law. International regulation of finance & investment / series editors, Kenneth R. Simmonds, Brian H. W. Hill  
New York : Oceana Publications, c1992-  
K1005.6 .T68

International business transactions / by Ralph H. Folsom and Michael W. Gordon  
St. Paul, Minn. : West Pub. Co., 1995-  
Practitioner treatise series  
KF1976 .F65 1995

World investment report.  
New York : United Nations, 1991-  
HG4538 .W67

United Nations Commission on International Trade Law  
Yearbook / United Nations Commission on International Trade Law, 1968-  
K3943.A53 U5

Joint ventures with international partners / edited by James A. Dobkin, Jeffrey A. Burt  
Stoneham, Mass. : Butterworth Legal Publishers, c1989-  
2 v. (loose-leaf)  
K1309 .J63

Transnational joint ventures / edited by Peter B. Fitzpatrick  
 Chesterland, Ohio : Business Laws, c1989-  
 2 v. (loose-leaf) ; 26 cm  
 K1309 .T73

International encyclopaedia of laws. Corporations and partnerships / editor, Koen Geens  
 Deventer ; Boston : Kluwer Law and Taxation Publishers, 1991-  
 v. (loose-leaf)  
 K1301 .I58

U.S. Securities Law for International Financial Investment, 2001- , KF1439 .L36 2001

International Business Law Library (computer files in CD-ROM)  
 1 International bank lending and security CD0008  
 2 International business and environmental regulation CD0005  
 3 International business and investment guide CD0012  
 4 International civil procedure CD0003  
 5 International contracts and arbitration CD0004  
 6 International licensing and competition law CD0010  
 7 International product liability CD0011  
 8 Rise of cross-border and representative banking CD0007  
 9 Taxation of international transactions CD0006

This series of International business law in CD-ROM has been published by Salzburg, Austria : Center for International Legal Studies, since 1998-. These CD-ROM are on reserve.

## 5. Journals

The following are major law reviews or journals related to international investment and trade laws subscribed by the Law Library.

ICSID review  
 Washington, D.C. : International Centre for Settlement of Investment Disputes ; Baltimore, MD : Johns Hopkins University Press [distributor], 1986-

International trade and business law journal (title changed to International trade and business annual in 1996)  
 London : Cavendish Pub., 1995-

The International trade law journal (title changed to Maryland journal of international law and trade)  
 [Baltimore] School of Law, University of Maryland, 1975-

Journal of comparative business and capital market law (continued by University of Pennsylvania journal of international business law)  
 Amsterdam : North-Holland Pub. Co., 1983-1986

Journal of international economic law  
 Oxford [Eng.] : Oxford University Press ; c1998-

Journal of international law and commercial regulation (continued by North Carolina journal of international law and commercial regulation)  
 [Chapel Hill, N.C. : North Carolina International Law and Commercial Regulation Association, c1976-

Minnesota journal of global trade  
 [Minneapolis, Minn. : Minnesota Journal of Global Trade, Inc., 1992-

Northwestern journal of international law & business

Chicago : Northwestern University School of Law, 1978-

East Asian executive reports

Washington : International Executive Reports,

Syracuse journal of international law and commerce

Syracuse, N.Y. : Syracuse University, College of Law, 1972-

University of Pennsylvania journal of international business law

1988-

WTO focus / World Trade Organization Focus

Geneva : Information and Media Relations Division, World Trade Organization, 1995-

## **6. WESTLAW and LEXIS Database**

WESTLAW and The Lexis' International Trade Library (ITRADE) contains a comprehensive collection of federal case law, statutes, regulations, and agency decisions all related to the importing and exporting of goods and services, licensing of intellectual property, payment of taxes, or investment and banking at the international level. For all the all available Westlaw's databases and Lexis' files, please consult Westlaw Database Directory and Lexis-Nexis Directory of Online Services (available in the Computer Lab). The following are selective databases and files for your reference:

### **1) LEXIS**

#### **BNA**

BNA International Business & Finance Daily from Jan. 1993 (BNAIBF)

BNA International Trade Daily from Jan. 1991 (BNAITD)

International Trade Reporter from July 1984 (INTRAD)

#### **Federal Courts**

U.S. Court of International Trade Cases (CIT)

#### **Free Trade Agreement Materials**

GATT Panel and World Trade Organization Decisions from September 1948 (GTTWTO)

General Agreement o Tariffs and Trade (GATT), Uruguay Round Signed 12/13/93 with Annexes 1-4 (GATT)

North American Free Trade Agreement (NAFTA) 10/7/92 Agreement with Annexes 1-7 and 9/13/93 Supplemental Agreement (NAFTA)

North American Free Trade Agreement (NAFTA) Panel Review Decisions from April 1995 (NAFDEC)

OCEANA Treaties from 1783 (USTRTY)

U.S.-Canada Free Trade Agreement Panel Review Decisions (USCFTA)

U.S.-Canada Free Trade Agreement Implementation Act (USCAN)

#### **International Trade Commission**

International Trade Commission Administrative Law Judge decisions and orders from Feb. 1976 (ALJ)

International Trade Commission decisions from Oct. 1979 (ITC)

#### **International Trade Treaties**

Basic Documents of International Economic Law, Volumes I and II (BDIEL)

#### **Reports/Publications**

Deloitte & Touche International Tax and Business Guides (RDBK)

Managing Exports from January 1997 (IOEXPT)

### **2) WESTLAW**

**Multi-National Materials**

WTO & GATT Panel Decisions (WTO-DEC)  
 CCH Tax Treaties Reporter (CCH-TTR)  
 Environmental Law Reporter - Statutes and International Agreements (ELR-STIA)  
 Uruguay Round General Agreement on Tariffs and Trade (GATT)  
 Federal Taxation - U.S. Treaties and Conventions (FTX-TREATIES)  
 International Economic Law Documents (IEL)  
 International Environmental Law Documents (INTLENVL)  
 International Legal Materials (ILM)  
 International Legal Materials Cumulative Index (ILM-INDX)  
 Oceana Treaties and International Agreements (OCEANA-TIA)  
 Tax Analysts - Worldwide Tax Treaties (TA-TREATIES)  
 U.S. Treaties and Other International Agreements (USTREATIES)

**Legal News, Highlights & Current Awareness**

Andrews International Reinsurance Dispute Reporter (ANIRDR)  
 BNA International Business & Finance Daily (BNA-IBFD)  
 BNA International Environment Daily (BNA-IED)  
 International Market Insight Reports (INTMKTIR)  
 International Market Insight Trade Opportunities Inquiries (INTMKTITOI)  
 International Trade Reporter (BNA-ITR)  
 Mealey's International Arbitration Report (MINTARBR)  
 Taxanalysts Multibase (DIALOG) (TAXANALYSTS-D)  
 Tax Analysts-Combined Materials (TA-TODAY)  
 Tax Analysts - Worldwide Tax Daily (WTD)  
 World Arbitration & Mediation Report (WAMREP)

**Texts & Treatises**

American Jurisprudence 2d (AMJUR)  
 International Capital Markets and Securities Regulation (SECINTCAP)  
 International Commerce Litigation (INTCOML)  
 International Joint Ventures: A Practical Guide (JOINTVEN)  
 International Trade Reporter (BNA-ITR)  
 Restatement of the Law - The Foreign Relations Law of the United States (REST-FOREL)

**7. E-mail Discussion Groups**

FORINTLAW LISTPROC@LAW.WUACC.EDU International Business law  
 INTTRADECOM LISTSERVER@ABANET.ORG International Trade Law  
 INT-TAX LISTSERVER@ABANET.ORG International Tax Law & Practice  
 INT-TRADE-RESEARCH MAILBASE@MAILBASE.AC.UK International Trade/Research

**8. Resources on the Internet**

Sometimes, the Internet is the only place where you will find some primary materials, for instance, legislation and cases from foreign countries, treaties involving non-U.S. countries.

[Guide to International Trade Law Sources on the Internet](http://www.llrx.com/features/trade.htm) By Marci Hoffman (<http://www.llrx.com/features/trade.htm>) is a good website to start your international investment law research on the Internet.

**1) International Organizations**



[World Law AustLII's index includes pages for international organizations and treaties](#)

[World Trade Organization \(WTO\) \(http://www.wto.org\)](http://www.wto.org)

[The World Bank Group \(http://www.worldbank.org\)](http://www.worldbank.org)

[International Monetary Fund \(IMF\) \(http://www.imf.org\)](http://www.imf.org)

[Organization for Economic Co-operation and Development \(OECD\) \(http://www.oecd.org\)](http://www.oecd.org)

**The Multilateral Investment Guarantee Agency (MIGA) was established on April 12, 1988, as the newest member organization of the World Bank Group. Its purpose is to encourage the flow of foreign direct investment. (<http://www.miga.org>)**

**ICSID was established under the Convention on the Settlement of Investment Disputes between States and Nationals (<http://www.worldbank.org/icsid>)**

**2) North American Free Trade Agreement (NAFTA)**

**NAFTA Commission for Environmental Cooperation (<http://www.cec.org>)**

**~~NAFTA Commission for Labour Cooperation (<http://userpages.nkn.net/mnajah/msainta.htm>)~~**

