

## BOOKS RECEIVED\*

### **Collected Courses of the Academy of European Law, 1993, Vol. IV, Book 1**

Edited by the Academy of European Law. The Hague, The Netherlands: Maartinus Nijhoff Publishers/Kluwer Law International, 1995, pp. xix, 387, US\$145, £90.00, Dfl. 195.00 [ISBN 90-411-0089-X].

This volume of lectures on European Community law is produced by the Academy of European Law of the European University Institute in Florence, Italy. The topics of the lectures, delivered at the Academy's 1993 summer session, are: "Après Maastricht: Une relance de l'Europe," by Emile Noel; "La contribution de la Cour de justice à l'édification de l'ordre juridique communautaire," by Robert Kovar; "International and European Trade and Environmental Law after the Uruguay Round," by Ernst-Ulrich Petersmann; "The Cultural Dimension of Community Law," by Bruno De Witte; "European Social Policy and Labour Law—Challenges and Perspectives," by Silvana Sciarra; and "Economic Analysis of European Integration," by William James Adams.

### **Controlling Conflict: Alternative Dispute Resolution for Business**

By Edward J. Costello, Jr. Chicago, Illinois: CCH Incorporated, 1996, pp. xviii, 485, \$59.00 [ISBN 0-8080-0088-8].

In the author's words, "[t]he purpose of this volume is to provide a tool to help organizations be better and more profitably managed in the years to come." Costello advocates the implementation of an alternative dispute resolution (ADR) agreement, before the occurrence of any disputes, to offer parties more control of business disputes. This view contrasts with the tradi-

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tional litigation that occurs only after a dispute arises. The first part of this book examines the history of dispute resolution in America and how it affects the way business disputes are resolved, as well as examining American court systems compared to the court systems and other methods of other major trading countries. The second part of the book discusses each of the ADR formats as well as the hybrid forms of ADR that are used.

## **Financial Conglomerates: New Rules for New Players?**

Edited by Lutgart Van den Berghe. Dordrecht, The Netherlands: Kluwer Academic Publishers, 1995, pp. xii, 186, US\$87.00, £56.00, Dfl. 130.00 [ISBN 0-7923-3753-0].

This publication explores financial conglomerates and the benefits and risks of their emergence in Europe. Research conducted at the Erasmus Finance and Insurance Centre, in collaboration with the Impulse Centre for Financial Services, combined with a 1994 workshop in Rotterdam provides information for the basis of this work. Part 1 gives a broad overview of the definition of financial conglomerates. Part 2 reviews the potential risks and regulatory aspects of financial conglomerates. Part 3 provides insight into the strategic issues explaining the creation of financial conglomerates.

## **Foreign Trade Law of the European Union**

By Philip Raworth. Dobbs Ferry, New York: Oceana Publications, Inc., 1995, pp. v, 498, \$45.00 (pb) [ISBN 0-379-21363-X].

In a 50-page introduction the author discusses: bilateral agreements between the European Union and the United States; the common customs tariff of the EU; nontariff measures in the EU; and customs law in the EU. The balance of the book contains the relevant Council Regulations, Decisions, and Directives.

## **German Capital Market Law**

Edited by Ulf R. Siebel, Michael Prinz zu Löwenstein, and Robert Finney. Dobbs Ferry, New York: Oceana Publications, Inc.; Munich, Germany: C.H. Beck'sche Verlagsbuchhandlung, 1995, pp. xii, 232, \$65.00 [ISBN 0-379-21217-X (Oceana); ISBN 3-406-39913-4 (C.H. Beck)].

The editors have compiled this book to provide issuers, investors, and intermediaries the information they need to operate in the German financial

markets. Chapters cover the German capital market and the law; the Securities Trading Act; the Exchange Act; the Exchange Admission Ordinance; obligations of issuers of admitted transferable securities; safekeeping of the Securities Act; the Securities Sales Prospectus Act; the Ordinance on Securities Sales Prospectuses; and the Rules of the Frankfurt Securities Exchange.

## **Incentives and Foreign Direct Investment**

Geneva, Switzerland: United Nations Publication, 1996, pp. vii, 98 (pb) [ISBN 92-1-104459-6].

Foreign direct investment (FDI) incentives competition is a rapidly changing field. As nations move toward an open world economy in which barriers to foreign direct investment are falling, a country's incentive system increasingly becomes a matter of foreign policy, as opposed to merely a matter of domestic policy. Chapters 1 and 2 of this work define and analyze FDI incentives. Chapters 3 and 4 review the trends in available incentives and discuss their influence on foreign investors' locational choices. Chapters 5 and 6 explore the international experiences in dealing with FDI incentives and suggest elements of an international approach to FDI incentives.

## **Indigenous Peoples in International Law**

By S. James Anaya. New York, New York: Oxford University Press, 1996, pp. xi, 267, \$45.00 [ISBN 0-19-508620-1].

This book describes and analyzes the origins and current practices of the international law of indigenous peoples. Anaya states that the United Nations' and other international institutions' focus on the concerns of indigenous peoples has resulted in "a new generation of international treaty and customary norms, while linking the new and emergent norms with previously existing international human rights standards of general applicability." Anaya examines domestic and international institutions and procedures for implementing international norms concerning indigenous peoples. Part 1 deals with the historical context of international law and its treatment of indigenous peoples and the development of this law over time. Part 2 describes the structure and content of contemporary international norms concerning indigenous peoples. Part 3 concludes by exploring the existing mechanisms by which implementation of international norms may be secured or promoted.

## **International Income Taxation: Code and Regulations, Selected Sections, 1996-1997 Edition**

Edited by Richard Crawford Pugh, Charles H. Gustafson, and Robert J. Peroni. Chicago, Illinois: CCH Incorporated, 1996, pp. v, 2605, \$60.00 (pb) [ISBN 0-8080-0104-3].

This work is a collection of the principle Code sections dealing with United States taxation of the income from international trade and investment. This volume also includes significant final, temporary, and proposed regulations relating to these sections of the code. As the editors note, this volume "is intended to serve as a convenient reference tool for lawyers, accountants, teachers, students, and others who work in this area."

## **International Responses to Traumatic Stress**

Edited by Yael Daieli, Niel S. Rodley, and Lars Weiszæth. Amityville, New York: Baywood Publishing Company, 1996, pp. x, 473, \$46.00 [ISBN 0-89503-132-9].

This book is a compilation of writings from different parts of the United Nations system, other international government organizations, nongovernmental organizations, and individual experts. These writings provide a comprehensive account of trauma and its victims and draw attention to how major institutions of the organized world community have responded to widespread traumatizing events. The chapters are subdivided according to sources of traumatization, types of victims, and types of organizations. This book provides a compassionate account of trauma and its victims while addressing the work that still needs to be done.

## **Interpretation: The IMF and International Law**

By Joseph Gold. The Hague, The Netherlands: Kluwer Law International, 1996, pp. xxxi, 641, US\$192.00, £124.00, Dfl. 275.00 [ISBN 90-411-0887-4].

The International Monetary Fund (IMF) is an independent organization and a specialized agency of the United Nations. This book focuses on the practice of the IMF in matters of interpretation. Gold examines the many motives for resorting to interpretation, from searching for ways to clarify ambiguity to demonstrating consensus for a particular decision. This work discusses the initial version of the treaty governing IMF matters, as well as provisions of the First, Second and Third Amendments.

## **Investment Issues in Asia and the Pacific Rim**

Edited by Carl J. Green and Thomas L. Brewer. Dobbs Ferry, New York: Oceana Publications, Inc., 1995, pp. xiii, 278, \$85.00 [ISBN 0-379-21355-9].

This volume gathers together the papers from a symposium on "An Investment Regime for APEC" sponsored in 1994 by the program in Asian Law and Policy of Georgetown University Law Center. The contributions analyze the context in which APEC and investment issues are evolving in the region. They are presented to inform readers of recent developments in the area and to synthesize different perspectives on the numerous issues addressed.

## **Law & Practice of the World Trade Organization**

Joseph F. Dennin, General Editor. Dobbs Ferry, New York: Oceana Publications, Inc., 1995, looseleaf (2 binders), \$175.00 [ISBN 0-379-21358-3].

The first volume of this treatise contains the full text primary source material relating to the establishment of the WTO: the Marrakesh Declaration; the Marrakesh Agreement establishing the WTO; GATT 1994; the Uruguay Round Agreements; and the Plurilateral Trade Agreements and related Ministerial Decisions, Declarations, and Understandings. The accompanying volume contains commentaries explicating the various agreements for the benefit of practitioners and academic researchers.

## **The Law of the WTO**

By Philip Raworth and Linda C. Reif. Dobbs Ferry, New York: Oceana Publications, Inc., 1995, pp. viii, 932, \$69.95 (pb, with autoBook diskette) [ISBN 0-379-21354-0].

Issued as one of the publisher's Practitioner's Deskbook Series, this volume contains the full text of the Marrakesh Agreement Establishing the World Trade Organization, together with all Annexes, Agreements, and Ministerial Decisions and Declarations. Also included is the text of the Understanding on Commitments in Financial Services and the General Agreement on Tariffs and Trade (GATT 1947). Accompanying the printed book is a fully searchable diskette and instruction manual, designed to enable the researcher to quickly reference and use information from the book.

## **The Legal Regulation of the European Community's External Relations after the Completion of the Internal Market**

Edited by Stratos V. Konstadinidis. Brookfield, Vermont: Dartmouth Publishing Company, 1996, pp. xlv, 370, \$71.95 [ISBN 1-85521-695-7].

This book is the product of an April 1994 forum, held by the Law Department of Bristol University in the U.K., concerning the implications of the completion of the internal market on the European Community's external relations. Distinguished speakers at this forum presented papers addressing specific aspects of this topic, which became the basis of this work. Part 1 reviews recent legal developments in the area of external relations. Part 2 explores various aspects of the Community's participation in the Uruguay Round negotiations. Parts 3 and 4 discuss the European agreements and the economic relations of the European Community and Pacific countries. Part 5 provides an account of the Community's economic and trade relations with the United States and Japan.

## **The Legal Status of British Dependent Territories: The West Indies and North Atlantic Region**

By Elizabeth Davies. New York, New York: Cambridge University Press, 1995, pp. xxx, 376, \$89.95 [ISBN 0521-48188-0].

This work examines the legal position of the British Dependent Territories and, in the author's words, "aims to reveal not only the face of the documents of the present constitutions but, beneath this, some of the reasons for various provisions appearing as they do." A series of contemporary case studies are used to explore the British government's role in safeguarding the legitimate interests of dependent-territory citizens.

## **Modern Techniques for Financial Transactions and Their Effects on Currency**

Edited by Michael Stathopoulos. The Hague, The Netherlands: Maartinus Nijhoff Publishers/Kluwer Law International, 1995, pp. vii, 291, US\$120.00, £74.25, Dfl. 165.00 [ISBN 90-411-0043-1].

This book explores how new technologies open up new possibilities for financial transactions. In addition, this book explores to what extent these

new technologies open up new legal problems and how these problems can be solved. This work consists of individual national reports from Australia, Belgium, Canada, France, Germany, Greece, the Netherlands, the United Kingdom, and the United States and a general report that synthesizes the relevant topics of the individual reports.

## **Ocean Governance for Hawai'i**

Program Chairman Thomas A. Mensah. Honolulu, Hawaii: Law of the Sea Institute, 1995, pp. x, 257, \$15.00 (pb) [ISBN 0-0911189-29-7].

This book is the third special publication by The Law of the Sea Institute. Each part contains papers on the subject and is followed by commentary. Part I deals with issues of jurisdiction and regulation. Part II analyzes special problems in the private sector. Part III presents policy issues. In Part IV, an integrated ocean policy for Hawaii, the state ocean resources plan, is presented. In addition, the work includes a speech, "The Blue-Green Revolution," by Richard Matsuura.

## **Patent Practice & Policy in the Pacific Rim**

Edited by Thomas Traian Moga. Dobbs Ferry, New York: Oceana Publications, Inc., 1996, looseleaf, \$165.00 [ISBN 0-379-01263-4].

The contents of this looseleaf volume at present consist of the texts of legislation relating to patents in Australia, Hong Kong, South Korea, and Vietnam. Additional booklets pertaining to other Pacific Rim countries are planned.

## **A Practical Guide to Taxation of International Transactions**

By Robert E. Meldman and Michael S. Schadewald. Chicago, Illinois: CCH Incorporated, 1996, pp. x, 370, \$89.00 [ISBN 0-8080-0090].

International transactions raise many tax issues. How the U.S. tax laws attempt to resolve these issues is the focus of this book. To be used as a desk reference for tax practitioners, this book emphasizes those areas generally accepted to be essential to tax practice. Part I of the book discusses basic principles including the two fundamental principles of U.S. taxation and international transactions. Part II explains U.S. methods of taxation of foreign corporations, nonresident alien individuals, and other foreign persons.

## **Press Law in South Korea**

By Kyolto Youm. Ames, Iowa: Iowa State University Press, 1996, pp. xviii, 438, \$39.95 [ISBN 0-8138-2327-7].

The author examines freedom of the press and the press law system in South Korea primarily from a statutory and judicial perspective. In addition, Youm reviews the history of the Korean legal system and analyzes changes in Korean institutions and constitution. The book covers the various phases of the South Korean Republic and the concomitant treatment of the South Korean press during these periods. Youm also explores the importance of Confucianist and American influences on the South Korean system and how Korean press law was affected by these influences. The result is a reference work for those interested in the interaction between the press and the government in societies experiencing major transformations.

## **The Role of the Oceans in the 21st Century**

Edited by Seoung-Yong Hong, Edward L. Miles, and Choon-ho Park. Honolulu, Hawaii: Law of the Sea Institute, 1995, pp. xiv, 777, \$58.00 [ISBN 0-911189-30-0].

This book consists of a series of panels discussing the future of the role of the oceans. Each part includes articles on a topic, followed by commentary and discussion. Panel I deals with ocean policy as an element of national policy. Panel II discusses coastal zone utilization. Panel III looks at new ocean industries. Panel IV analyzes the role of new and emergent hard ocean minerals. Panel V discusses the future of oceanic oil and gas. Panel VI addresses the contributions of ocean resources to the East Asian economy. In Panel VII, the economic contributions of environmental use of the ocean are examined. The book also includes a speech entitled, "The Future of the UN Law of the Sea Convention and Maintenance of Legal Order and Peace in the Oceans in the 21st Century," by Igor K. Kolossovsky.

## **Third Party Dispute Settlement in an Interdependent World**

By Marcel M.T.A. Brus. Dordrecht, The Netherlands: Martinus Nijhoff Publishers/Kluwer Academic Publishers, 1995, pp. vi, 262, \$100.00, £65.00, Dfl. 155.00 [ISBN 0-7923-3423-X].

In this contribution to the discussion of the theoretical foundations of international law, the author investigates the relationship between international



decision-making procedures and legitimacy and integrity as states and other international bodies perceive those concepts. For his foundation the author takes compulsory third-party dispute settlement as exemplified by dispute settlement agreements in connection with the law of the sea, GATT/WTO, Antarctica, and global environmental protection. He integrates his findings in these fields into an analysis of changes in the international community in general, and their consequences for the international legal system in the post-Cold War, interdependent international community.

## **Trading Arrangements in the Pacific Rim: ASEAN and APEC**

Edited by Paul Davidson. Dobbs Ferry, New York: Oceana Publications, Inc., 1996, looseleaf, \$165.00 [ISBN 0-379-00855-6].

The editor of this volume has compiled all the documents pertaining to the establishment of the Association of Southeast Asian Nations (ASEAN) and the Asia Pacific Economic Cooperation (APEC) agreement. Commentary analyzes ASEAN and APEC from varying perspectives.

