## THE INTERNATIONAL LAWYER

Winter 1988  Volume 22  Number 4

## CONTENTS

### Articles

<table>
<thead>
<tr>
<th>Title</th>
<th>Author(s)</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Effective Evidence-Taking Under the Hague Convention</td>
<td>Darrell Prescott</td>
<td>939</td>
</tr>
<tr>
<td></td>
<td>Edwin R. Alley</td>
<td></td>
</tr>
<tr>
<td>IRS Third-Party Recordkeeper Summonses Issued at the Request of a Treaty Partner: A Practical and Theoretical Approach</td>
<td>David Bunning</td>
<td>989</td>
</tr>
<tr>
<td>A New Incentives Law for Puerto Rico</td>
<td>Ralph J. Sierra, Jr.</td>
<td>1037</td>
</tr>
<tr>
<td>The Canadian Competition Act: A Leap Forward</td>
<td>Isabel M. Pappe</td>
<td>1071</td>
</tr>
<tr>
<td>The Application of EEC Regulation 2641/84 on Illicit Commercial Practices with Special Reference to the U.S.A.</td>
<td>Michael Buxton Devine</td>
<td>1091</td>
</tr>
</tbody>
</table>

### Perspectives

<table>
<thead>
<tr>
<th>Title</th>
<th>Author(s)</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Award of the Leonard J. Theberge Prize for Private International Law to Sir Joseph Gold</td>
<td>Sir Joseph Gold</td>
<td>1137</td>
</tr>
<tr>
<td>The Role and Problems of Corporate Legal Departments in Japan</td>
<td>Akihiko Tada</td>
<td>1141</td>
</tr>
<tr>
<td>Space-Specific Remedies for Torts in Outer Space: What Path Will U.S. Law Follow?</td>
<td>Larry S. Kaplan</td>
<td>1145</td>
</tr>
</tbody>
</table>
Annual Report

International Unification of Private Law:

Casenotes

Transnational Securities Fraud: Are the
United States Courts Closing Their
Doors to Foreign Plaintiffs? ............ Greggory D. Cleveland 1171

Nonrecognition of Post-Bankruptcy Arbitration:
Victrix Steamship Co. v.
Salen Dry Cargo A.B. ................. Steven G. Hutchinson 1183

Current Developments

U.S. Trade Law & Policy Series #13
Unilateral Action to Open Foreign Markets:
The Mechanics of
Retaliation Exercises ................. Judith Hippler Bello
Alan F. Holmer 1197

Foreign Investment in the U.S.
Fishery Industry After the
Anti-Reflagging Act of 1987 .......... James P. Walsh
Joseph D. Weinstein 1207

China’s Emerging Bankruptcy Law ....... Michael Minor
Karen J. Stevens-Minor 1217

Regional Developments

European Communities ............... David L. Perrott 1227
Pacific Basin ......................... Baker & McKenzie 1235

Book Reviews

International Arbitration: Three Salient Problems
(Hersch Lauterpacht Memorial Lectures, Vol. 4),
by Stephen M. Schwebel ................. Otto Sandrock 1245

Dealing Effectively with Local Counsel Abroad,
by John A. Nilsson ...................... Siegfried H. Elsing
Donna Shook-Wiercimok 1249

Business Law Guide to Germany,
by Strobl, Killius & Vorbrugg .......... Richard E. Lutringer 1251

Doing Business in Ireland,
edited by P. Ussher, B.J. O’Connor,
and C. McCarthy .................... John Temple Lang 1254
Section Recommendations and Reports

American Bar Association
Section of International Law and Practice
Report to the House of Delegates
I. Montreal Protocol on Substances that
Deplete the Ozone Layer ...................................... 1261

American Bar Association
Standing Committee on World Order
Under Law
Section of International Law and Practice and
Section of Individual Rights and Responsibilities
Report to the House of Delegates
II. U. N. Payment ................................................ 1281

American Bar Association
Section of International Law and Practice
Standing Committee on Law and National Security
Report of the House of Delegates
III. I.N.F. Treaty .................................................. 1288

Index to Volume 22 ............................................ 1295

Editor's Note
Beginning with this volume, THE INTERNATIONAL LAWYER is changing the seasonal designation of its issues. No. 1 (formerly Winter) from now on will be designated Spring; No. 2 will become Summer; No. 3 will become Fall; No. 4 will become Winter. The change will not affect the number of issues in this and future volumes, nor will it affect actual publication dates.
STATEMENT OF OWNERSHIP, MANAGEMENT AND CIRCULATION
(Required by 39 U.S.C. 3685)

1. Title of Publication: THE INTERNATIONAL LAWYER
2. Date of Filing: October 1, 1988
3. Frequency of Issue: Quarterly
4. Location of known office of Publication: American Bar Association,
   750 N. Lake Shore Dr., Chicago, IL 60611
5. Location of the Headquarters of the Publisher: American Bar Association,
   750 N. Lake Shore Dr., Chicago, IL 60611
6. Publisher: American Bar Association
   Editor: Joseph J. Norton, Southern Methodist University School of Law,
   Storey Hall, Dallas TX 75275
   Managing Editor: Marla V. Hillery, American Bar Association,
   750 N. Lake Shore Drive, Chicago, IL 60611
7. Owner: American Bar Association
8. Known bondholders, mortgages, and other security holders: None

<table>
<thead>
<tr>
<th>Extent and nature of circulation</th>
<th>Average no. of copies each issue during preceding twelve months</th>
<th>Actual no. copies of single issue nearest to filing date</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Total no. copies printed</td>
<td>15,105</td>
<td>14,779</td>
</tr>
<tr>
<td>b. Paid circulation</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Sales through dealers and</td>
<td></td>
<td></td>
</tr>
<tr>
<td>carriers, street vendors and</td>
<td></td>
<td></td>
</tr>
<tr>
<td>counter sales</td>
<td>-0-</td>
<td>-0-</td>
</tr>
<tr>
<td>2. Mail subscription</td>
<td>10,919</td>
<td>9,672</td>
</tr>
<tr>
<td>c. Total paid circulation</td>
<td>10,919</td>
<td>9,672</td>
</tr>
<tr>
<td>d. Free distribution by mail, carrier or other means (samples, complimentary, and other free copies)</td>
<td>1,612</td>
<td>2,431</td>
</tr>
<tr>
<td>e. Total distribution</td>
<td>12,531</td>
<td>12,103</td>
</tr>
<tr>
<td>f. Copies not distributed</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Office use, left over, unaccounted, spoiled after printing</td>
<td>2,574</td>
<td>2,676</td>
</tr>
<tr>
<td>2. Return from news agents</td>
<td>-0-</td>
<td>-0-</td>
</tr>
<tr>
<td>g. Total</td>
<td>15,105</td>
<td>14,779</td>
</tr>
</tbody>
</table>

I certify that the statements made by me above are correct and complete.
October 1, 1988

Robert C. Losey