

BOOKS RECEIVED*

General Publications

African Yearbook of International Law: Vol. 1, 1993

Edited by Abdulqawi A. Yusuf. Dordrecht, The Netherlands, London, U.K., and Boston, Massachusetts: Martinus Nijhoff Publishers, 1994, pp. xii, 341, \$147.50, £100.00, Dfl. 250.00 (hc) [ISBN 0-7923-2718-7].

This new yearbook presents African perspectives and practices in international law in order to provide an intellectual forum for the teaching and study of international law in Africa. Analytical articles address such issues as development, human rights, and democratization in terms of territorial integrity, self-determination, ethnic diversity, and nation-building. This inaugural volume has as its special theme four articles on Namibia and its approach to independence. Articles, notes and comments, book reviews, and selected basic documents round out the book. Articles are in English or French.

Choice of Law in International Commercial Arbitration

By Okezie Chukwumerije. Westport, Connecticut: Quorum Books, pp. xii, 218, \$65.00 (hc) [ISBN 0-89930-878-3].

Current trends in international commercial arbitration are explored through legislative, judicial, and arbitral practices in major jurisdictions. The author analyzes possible solutions to choice of law problems faced by international commercial law arbitrators in terms of the laws applicable to arbitration agreements, arbitral procedures, and the substance of disputes. It focuses on international arbitral practice and international conventions on arbitration,

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surveys judicial and legislative practices in selected jurisdictions, and examines relevant juristic opinions.

Commercial Arbitration Law and Clauses: A Drafter's Guide

By Jeffrey Barist. Englewood Cliffs, New Jersey: Prentice Hall Law & Business Publishing Group, 1994, one looseleaf volume, updated, \$110.00 (hc) [ISBN 0-13-312901-2].

The topics in this volume are titled and ordered as follows: Finality of the Arbitration Award; What Will Be Arbitrated and by Whom; Choosing the Arbitrator; Choosing the Governing Law; Necessary Protection; and Useful Procedural Considerations. Also included are the texts of relevant conventions, statutes, and rules of procedure, and a table of authorities.

Dahl's Law Dictionary (English-Spanish and Spanish-English)

By Henry S. Dahl, with Horacio M. Marull. Buffalo, New York: William S. Hein & Co., Inc., 1992, pp. xvii, 347, \$55.00 (hc) [ISBN 0-89941-807-4].

A bilingual legal dictionary with definitions in Spanish explaining the American legal system and definitions in English illuminating Spanish and Latin American law. Definitions come from Spanish codes, the Louisiana Civil Code, Latin American penal codes, the U.S. Constitution, the Uniform Commercial Code, the federal rules of procedure, Restatements, and the Puerto Rico Supreme Court's definitions of Spanish and American terms.

EC Financial Services Regulation

By Mangus Egan, Nicholas Lockett, and Justin Rushbrooke. New York, New York: John Wiley & Sons, Inc. (1-800-753-0655), 1994, one looseleaf volume, updated, \$235.00 (hc) [ISBN 1-93704-5].

This volume provides an up-to-date and critical analysis of the European Community's 1992 internal market program for regulating and supervising banking and investment institutions. It highlights the fundamental principles behind the legislation—harmonization, mutual recognition, minimum requirements, and reciprocity—by examining the difficulties and benefits that lie therein.

The Eritrean Question: The Conflict Between the Right of Self-Determination and the Interests of States

By Eyassu Gayim. Uppsala, Sweden: Iustus Förlag, 1993, pp. 717, Skr. 752.00 (pb) [ISBN 91-7678-240-9].

In this book, the author's Uppsala University doctoral thesis, the author seeks to provide answers to such questions as: Did the Eritreans have a legal right to self-determination? Was their aspiration to self-determination legitimate? And why was Eritrea treated differently from the other colonies for which the United Nations promoted independence? The author analyzes the interplay of factors that shape a principle of international law and its application, as well as the influence of international organizations on the constitutional framework and internal law of states that have emerged in the recent past.

European Financing Laws

Edited by Robert Drake & James Rider. Chichester, U.K.: Chancery Law Publishing Ltd.; New York, New York: John Wiley & Sons, Inc. (1-800-753-0655), 1993, pp. xiv, 406, \$135.00 (hc) [ISBN 1-93656-1].

The authors provide an overview of the problems that may arise in financing transactions in the countries of the European Union. On a country-by-country basis, this book analyzes the laws and practices relating to financing transactions. Topics covered include company law, financial assistance, foreign investment, creditor remedies and insolvency issues, exchange control and financial regulation, and choice of law and jurisdiction.

Foreign Bank Regulation After BCCI

By Raj Bhala. Durham, North Carolina: Carolina Academic Press, 1994, pp. xxix, 316, \$49.95 (hc) [ISBN 0-89089-602-X].

Written by a former attorney for the Federal Reserve Bank of New York assigned to investigate BCCI and handle civil enforcement against the bank, the book examines the post-BCCI U.S. laws and regulations governing foreign banks as well as the new international standards applicable to cross-border banking institutions. As a result of his analysis, the author proposes legal reforms in the areas of international bank insolvency and international trade in banking services. He also offers principles that could form the basis for an international bank bankruptcy convention.

Human Rights and Labour Law

Edited by K.D. Ewing, C.A. Gearty, and B.A. Hipple. New York, New York: Mansell Publishing Limited, 1994, pp. xii, 367, \$90.00 (hc) [ISBN 0-7201-2148-5].

This volume of essays is dedicated to Paul O'Higgins. The contributions range over international and comparative labor law, contemporary problems of EC labor law, the constitutional protection of human rights in the labor law context, and the protection of social rights in domestic law. A bibliography of O'Higgins's writings concludes the work.

International Organizations and the Law of the Sea Documentary Yearbook (1992)

Issued by The Netherlands Institute for the Law of the Sea (NILOS). Dordrecht, The Netherlands, London, U.K., and Boston, Massachusetts: Graham & Trotman / Martinus Nijhoff Publishers, 1994, pp. lvi, 850, \$250.00, £170.00, Dfl. 435.00 (hc) [ISBN 0-7923-2614-8].

A collection of documents related to oceanic affairs and the law of the sea issued by United Nations organs, specialized agencies, and other autonomous organizations of the UN system. Documents issued during the course of 1992 are reproduced; other relevant documents are listed. This volume also includes a special report on the "Ocean-Related Impact of Agenda 21 on International Organizations of the UN System in Follow-Up to the Rio Summit."

International Petroleum Transactions

By Ernest E. Smith, John S. Dzienkowski, Owen L. Anderson, Gary B. Conine, and John S. Lowe. Denver, Colorado: Rocky Mountain Mineral Law Foundation, 1993, pp. xxii, 886, \$125.00 (hc) [ISBN 0-929-047-42-7].

The authors' stated intent was to produce a textbook that would demonstrate how law and legal arrangements function in the context of international business transactions. To this end they selected one subject of international trade, that of energy resources, primarily petroleum. Chapters encompass a review of world energy sources; dispute resolution in private international transactions; the politics of national sovereignty over natural resources; and detailed discussions of exploration, development and production, environmental challenges, and international markets.

Israel's Legitimacy in Law and in History

By Douglas J. Feith, William V. O'Brien, Eugene V. Rostow, Paul S. Riebenfeld, Malvina Halberstam, and Jerome Hornblase. New York, New York: Center for Near East Policy Research, 1993, pp. v, 115, \$14.50 (pb) [ISBN 0-9640145-0-5].

Proceedings of the Conference on International Law and the Arab-Israeli Conflict sponsored by The Louis D. Brandeis Society of Zionist Lawyers, held on October 21, 1990, in New York. The papers by the authors listed above address various aspects of "Israel's Legitimacy in International Law" with the purpose of contributing to an understanding of the Arab-Israeli peace process.

Italian Studies in Law: A Review of Legal Problems— Volume II

Edited by Alessandro Pizzorusso and the Italian Association of Comparative Law. Dordrecht, The Netherlands, London, U.K., and Boston, Massachusetts: Martinus Nijhoff Publishers, 1994, pp. xv, 239, \$94.00, £62.00, Dfl. 155.00 (hc) [ISBN 0-7923-2483-8].

This yearbook contains essays by Italian authors on topics of Italian law. The editors' plan is to present trends in Italian legal literature and case law for the benefit of jurists in other countries. Individual essays cover private law, public law, procedural law, and historical profiles.

The Law of the International Civil Service: As Applied by International Administrative Tribunals (Vol. I)

By C.F. Amerasinghe. New York, New York: Oxford University Press, 2d ed. 1994, pp. lxxvii, 659, \$145.00 (hc) [ISBN 0-19-825879-8].

The Law of the International Civil Service: As Applied by International Administrative Tribunals (Vol. II)

By C.F. Amerasinghe. New York, New York: Oxford University Press, 2d ed. 1994, pp. xxxix, 543, \$135.00 (hc) [ISBN 0-19-825880-1].

This second edition of a treatise originally published in 1988 details the law applied by international administrative tribunals in the field of employment relations between international organizations and their staff. Volume I covers

general background material and principles. Volume II addresses specific subjects such as termination of employment and disciplinary matters. Appendices contain documentation on staff regulations.

The New International Law of Fisheries: UNCLOS 1982 and Beyond

By William T. Burke. New York, New York: Oxford University Press, 1994, pp. xxvii, 382, \$95.00 (hc) [ISBN 0-19-825251-X].

In his discussion of changes over the past 20 years in the international law of the sea and their impact on state protection and customary law, the author focuses on the 1982 Convention on the Law of the Sea. He analyzes the convention's provisions on the exclusive economic zone where most world fishing occurs, and discusses major international decisions on high seas fishing, including use of driftnets, the harvesting of such species as salmon, tuna, and marine mammals, and coastal states' jurisdiction over fisheries.

The Public International Law of Taxation: Text, Cases & Materials

Edited by Asif Hasan Qureshi. Dordrecht, The Netherlands, London, U.K., and Boston, Massachusetts: Graham & Trotman / Martinus Nijhoff Publishers, 1994, pp. xvi, 623, \$180.00, £110.00, Dfl. 350.00 (hc) [ISBN 1-85333-950-4].

A compilation of basic public international law materials pertaining to taxation. Included are cases and texts of international agreements, as well as secondary sources, with commentaries by the editor. A general discussion of the public international law of taxation is followed by chapters covering the relationship of international law and national law; fiscal jurisdiction; general principles of treaty law with specific reference to taxation; general international constraints in fiscal matters; enforcement of international tax claims; and double taxation relief.

The Regulation of Nationality in International Law

By Ruth Donner. Irvington, New York: Transnational Juris Publications, Inc., 2d ed. 1994, pp. xvii, 433, \$95.00 (hc) [ISBN 0-941320-77-4].

The author's stated purpose is to "inquire what, if any, standards or rules exist in public international law governing the rights of States to determine who are, and who are not, their nationals." To this end she analyzes possible standards

or rules set by public international law, including such topics as dual or plural nationality; the effective link and the concept of the dominant nationality; and the possible limits in the international sphere on the right of states.

Taiwan Trade and Investment Law

Edited by Mitchell A. Silk. New York, New York: Oxford University Press, 1994, pp. xvi, 691, \$199.00 (hc) [ISBN 0-19-585289-3].

Prepared with the benefit of scholars, investors, government regulators, lawyers, and businesspersons, this book presents up-to-date information on the legal structures affecting international trade and investment relationships with Taiwan. Beginning with general discussions of Taiwan's business environment and legal system, the book continues with chapters covering laws affecting investment activities; legal issues relating to Taiwanese investment abroad; corporate and commercial law; banking and financial services; taxation; intellectual property; industrial and resource regulation; consumer protection; and dispute resolution.

Technologies for Environmental Cleanup: Toxic and Hazardous Waste Management

Edited by A. Avogadro and R.C. Ragaini. Boston, Massachusetts, and Dordrecht, The Netherlands: Kluwer Academic Publishers, 1994, pp. ix, 256, \$115.50, £74.50, Dfl. 195.00 (hc) [ISBN 0-7923-2776-4].

This book comprises the collected lectures prepared for a "Eurocourse" held at the Joint Research Centre of the Commission of the European Communities in Ispra, Italy, in September 1993. The objective of the course was to acquaint scientists, government officials, and managers with technical issues related to various aspects of waste management. The papers focus on recent technological programs either already commercially available or in various stages of implementation. They also address waste management policies and regulations developed in the United States and Europe.

Yearbook of European Law (1992)

Edited by A. Barav and D.A. Wyatt. New York, New York: Oxford University Press, 1993, pp. xvi, 851, \$145.00 (hc) [ISBN 0-19-825780-5].

This 1992 yearbook presents 14 scholarly essays on various aspects of European law and legislation, together with surveys of recent developments and book reviews.

Yearbook of The United Nations (Vol. 46, 1992)

Edited by the United Nations. Dordrecht, The Netherlands, London, U.K., and Boston, Massachusetts: Martinus Nijhoff Publishers, 1993, pp. xiii, 1275, \$150.00, £102.00, Dfl. 225.00 (hc) [ISBN 0-7923-2583-4].

This yearbook is designed to provide the general public and the research community with a comprehensive account of the recent activities of the United Nations. The issues discussed are arranged within seven broad themes: political and security questions; regional questions; economic and social questions; trusteeship and decolonization; legal questions; administrative and budgetary questions; and intergovernmental organizations related to the UN. The texts of all substantive resolutions and decisions adopted in 1992 by the General Assembly, the Security Council, the Economic and Social Council, and the Trusteeship Council are reproduced or summarized under the relevant topic.