In This Issue:

Commentary:

Summary of the Presentation at Southern Methodist University (SMU) November 8, 1997: Judicial Reform in the Americas .................................................. 3
Hon. Roberto MacLean

Articles:

NAFTA's Labor Side Accord: A Three-Year Accounting ........................................ 6
Lance Compa

Money Laundering: The American Law and Its Global Influence ......................... 24
Matthew S. Morgan

MERCOSUR as an Instrument for Development .................................................. 53
Jorge M. Guira

Comments:

Biotechnology and Intellectual Property Protection from U.S. Law through NAFTA ................................................................. 103
Charles Vorndran

Chapter 19 of the NAFTA: Are Binational Panels Constitutional? .................. 129
J. Todd Applegate

Corrigendum ........................................................................................................ 156
This journal is a quarterly publication produced by Kluwer Law International in association with the Section of International Law and Practice of the American Bar Association, and Southern Methodist University School of Law (and its NAFTA Law Centre). The journal relies on the ongoing cooperation of the SMU School of Business, the SMU Departments of Economics and Political Science, and the Centre for Commercial Law Studies and its London Institute of International Banking, Finance and Development Law at Queen Mary & Westfield College at the University of London.

Aims and Publication Policy:

This journal addresses the legal, business, economic, political and social policy dimensions of NAFTA, its implementation, its future evolution and expansion and its overall impact on doing business in the Americas. The journal will combine practical and policy implications of NAFTA. As such it will cover not only matters of immediate concern and interest, but also matters respecting reform of legal, business, economic, political and social structures within the various countries in the Western Hemisphere. Subject-matter concerning other regional integration efforts in the world and various other comparative topics in the international trade and investment areas will also be addressed, from time to time.

However, topics of particular concern to the journal will include: free trade, direct investment, licensing, finance, taxation, litigation and dispute resolution and organizational aspects of NAFTA and the specific implementation. For practical reasons, English is used as the language of communication.

Article Submission:

The editors will consider for publication manuscripts by contributors from any country. Articles will be subjected to a professional review procedure. The authors should ensure that the significance of a contribution will be apparent to readers outside the specific expertise. Special terms and abbreviations should be clearly defined in the text or notes.

Accepted manuscripts will be edited, if necessary, to improve the journal's effectiveness of communication. If editing should be extensive, with a consequential danger of altering the meaning, the manuscript will be returned to author for approval before type is set. Alternatively, the manuscript may be returned to the author to address the deficiencies. In all events, the editors reserve the right, after discussion with the author, to change its acceptance decision for good reason or to move a publication from one issue to later or earlier issue. The editors will not accept unsolicited student-written submission, nor will they consider articles or reports that have been or are to be published elsewhere or materials prepared for one's clients or business promotion.

Manuscripts, along with a corresponding computer diskette, should be submitted in duplicate, together with a covering letter, to:

Editor in Chief
NAFTA: Law and Business Review of the Americas
The NAFTA Law Centre
SMU School of Law
3315 Daniel Avenue
Dallas, TX 75275-4330

At the time the manuscript is submitted, written assurance must be given that the article has not been published, submitted or accepted elsewhere. The author normally will be notified of acceptance, rejection or need for revision within 8-12 weeks.

Authors are requested to submit two copies of their manuscript, typed in double space, together with a summary of the contents. Manuscripts may range from 6,000 from 10,000 words, approximately 20-30 pages in length. However, longer articles are accepted based upon topic, quality, and space availability. The title of the article should begin with a word useful in indexing and information retrieval. Short titles are used as running heads. All notes should be numbered in sequential order, as cited in the text, and should be typed in double-spaced on a separate page. Unless for good reason acceptable to the editors, endnotes for legal articles should conform to a uniform system of citation (The Harvard Bluebook, 16th ed.). For nonlegal articles, the citations should be internally consistent within the given article. The author should submit short biographical data including his or her affiliation.
— Advisory Board —

— ABA Members —

Chair: Lucinda A. Low
Washington, DC

Ernesto P. Soto
Mexican Law Committee

James H. Carter
New York

Richard C. Levin
Dallas

Salvador J. Juncadella
Interamerican Committee, Miami

Emily Barbour
International Economic Integration Task Force

Marsha Echols
Regional Economic Integration Task Force

International Communications Committee

James H. Carter
New York

Richard C. Levin
Dallas

Emily Barbour
International Economic Integration Task Force

Steven H. Levin
Canadian Committee, Ottawa

Rona R. Mears
Dallas

Mark A. Sandstrom

— SMU Members —

Ndiva Kofele-Kale
Esfandiar Maasouni
Hon. Richard R. Rubottom

Marc I. Steinberg
Luigi Manzetti
Jane L. Dolkart

Christopher Hanna
Shlomo Weber
Peter Winship

Ndiva Kofele-Kale
Esfandiar Maasouni
Hon. Richard R. Rubottom

Marc I. Steinberg
Luigi Manzetti
Jane L. Dolkart

Christopher Hanna
Shlomo Weber
Peter Winship

— CCLS Members —

Raymond M. Auferback
Mary Footer

— External Members —

Andrea Bonime-Blanc
Diego C. Bunge
Louis Capin L.
New York
Buenos Aires
Mexico City

Beverly Mae Carl
Carlos Creel C.
Julio Cueto-Rua
Tom J. Farer
Santa Fe
Mexico City
Buenos Aires
Washington, DC

Carlos A. Gabuardi
Manuel Galicia R.
Hon J.E.G. Gibson
Franklin E. Gill
Washington, DC
Mexico City
Dallas
Albuquerque

Michael W. Gordon
William C. Gruben
Michael Hart
Francisco J. Illanes
Gainesville
Dallas
Ottawa
Santiago

John H. Jackson
Lawrence Johnson
Boris Kozolchyk
Cynthia C. Lichtenstein
Ann Arbor
Dallas
Tucson
Boston

Hon. Roberto Maclean
David J. McFadden, Q.C.
Dana G. Nahlen
Miguel B. O’Farrell
Washington
Toronto
Dallas
Buenos Aires

Sergio Le Pere
Riordan Roett
José Luis Siqueiros
James F. Smith
Buenos Aires
Washington, DC
Mexico City
Los Angeles

J. Christopher Thomas
Joel P. Trachtman
Julio C. Treviño
Stephen T. Zamora
Vancouver
Boston
Mexico City
Houston

OFFICIAL CITATION
3 NAFTA L. Rev., Summer 1997

Nothing herein shall be construed as representing the opinions, views or actions of the American Bar Association unless the same shall have been first approved by the House of Delegates or the Board of Governors, or of the Section of International Law and Practice of the Association unless first approved by the Section or its Council.