Book Review. Foreign Investment: France -- A Case Study by Robert B. Dickie

A. A. Fatouros
Indiana University School of Law

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tionalization is distinguished from requisition, confiscation and expropriation and is given a certain ideological character which appears to put it above international law, almost as if it were part of the right of the state to exist.

But apart from ideology, from the supreme right of the state to reserve to itself the necessary conditions of its effective existence, the discussion of the individual problems is logically arranged and clearly presented. A chapter on the attitude of jurists to the problem contains a discussion of the critical issue of compensation, which may take different forms. A long chapter deals with the background of nationalization in Latin America and the controversies between the United States and the different countries. The second volume opens with a chapter on the petroleum problem in Peru, and is followed by the constitutional texts and the legislation of Argentina, Bolivia, Cuba, Guatemala, and Mexico. An elaborate bibliography closes the first volume.

Dr. Aguayo is to be congratulated upon a work of great industry and careful research, which must be of service to the commercial public in Latin America as well as to students. It is to be hoped, however, that a second edition will be presented in more readable form.

C. G. FENWICK

*East European Rules on the Validity of International Commercial Arbitration Agreements.* By L. Kos-Rabcewicz-Zubkowski. (Manchester, England: Manchester University Press; Bombay: N. M. Tripathi Private Ltd. (distributors); Dobbs Ferry, N. Y.; Oceana Publications, 1970. pp. xii, 332. Index. $11.00.) Commercial disputes with countries of different economic structures will mostly arise out of arrangements with state-controlled bodies, especially those of Eastern Europe, which have a state monopoly of foreign trade. Increase of trade in the years to come requires information on the facilities which are available for the settlement of such international commercial disputes. For the first time in the English language a well-documented survey is available, dealing with the capacity of parties to conclude foreign trade arbitration agreements, their form, the arbitrability of the issues involved, the permanent arbitral bodies connected with the Foreign Trade Chambers of Commerce and their jurisdictional competence. The author, Vice President of the Canadian Inter-American Research Institute in Montreal, has considered all these questions both under domestic rules and the pertinent bilateral and multilateral conventions prevailing in Albania, Czechoslovakia, the German Democratic Republic, Hungary, Poland, Rumania, the U.S.S.R. and Yugoslavia.

Numerous decisions of the arbitral bodies in Eastern European countries which were rendered under elaborate rules of procedure (in translation in the annexes) are considered, also under their comparative law aspects. References to the arbitral literature of the foreign countries and to further source material in the English language, especially on problems of conflict of laws, are included throughout in a careful valuation of the problems of international commercial arbitration. A bibliography of the literature and the decisions cited in the text is added. The book makes a valuable contribution to the law and practice in this specific field of East-West settlement of trade disputes.

MARTIN DOMKE

direct investments in France (pp. 13-21), then moves to a description of French laws and administrative instruments directly regulating foreign investments (pp. 22-48) and a survey of other laws generally relevant to them (corporate form, social insurance, labor law, tax, etc.) (pp. 49-66). There follows a discussion of the conditions and criteria the French Government applies in deciding whether to permit foreign investment projects (pp. 67-95). A translation of the 1966 law on commercial companies and the French text of the statutes and implementing administrative instruments concerning foreign direct investments and transfer of industrial property rights usefully complement the text.

As an introductory overview of French investment laws and policies the book should be valuable to corporation executives and counsel and to students of international transactions. The author is keenly aware of the interplay of legislation, administration and policy, and he tries hard to make investors and government perceive each other's case. His study, however, covers too much ground for its eighty-odd pages. As a result, it is largely descriptive on an abstract, generalized level. Discussion of legal problems tends to be limited to legislative and occasionally administrative texts, without extensive analysis of legal concepts, case law, or administrative practice. The discussion of policies is more concrete and informative, although far from comprehensive. After all, the problems of the "technological gap" cannot adequately be dealt with in five pages. The style is rather pedestrian but generally clear. Persistent use of the term "décret" for decree (or décret), deserves the Franglais prize of the year.

A. A. Fatouros

Trade Agreements for Developing Countries. By Gilbert P. Verbit. (New York and London: Columbia University Press, 1969. pp. xii, 249. Index. $8.50.) The author, who served for two years as Legal Adviser to the Ministry of External Affairs of the Republic of Tanzania, designed his book as "a working tool for those officials in developing countries who have the responsibility of representing their governments in the negotiation of trade agreements and at meetings of the GATT (General Agreement on Tariffs and Trade) and of the UNCTAD (United Nations Conference on Trade and Development)." Specifically, it is aimed at breaking down the communication barrier between lawyers on the one hand and civil servants representing their ministries of foreign trade and commerce, on the other. Obviously, "no lawyer can participate in the negotiation of trade agreements without a grounding in the economic issues involved. Nor can a civil servant negotiate without knowing what role the law and lawyers should play in such negotiation."

In the introductory chapter entitled "Trade Agreements in Context" the author indicates the various types of trade agreements which the developing countries have entered into and identifies those which are likely to be of continuing significance. The author suggests substantive provisions which should be included in trade agreements to deal with specific problems posed by various economic practices of the participants in world trade. The basic chapter is on the concept of the most-favored-nation treatment. The following chapters on "Quantitative Restrictions on Imports," "Exchange Controls," "Internal Restrictions," "State Trading," and "Export Subsidies and Dumping" all contain useful discussions of the theories and practice with respect to each of these topics. They are all further evaluated in terms of how they relate to the most-favored-nation concept and the principle of comparative advantage, and how a trade agreement should treat them. In the chapter on "Promoting Trade Between the Parties," the au-