INTERNATIONAL INVESTMENT LAW

This seminar will be led by Professor Victor Essien. There is no basic text. Selected readings for each week's class may be downloaded from the Professor’s TWEN page.

WEEK ONE: FOREIGN INVESTMENT IN WORLD DEVELOPMENT:
(Mon., Jan. 7, 2008) THE CONTEXTUAL FRAMEWORK

Readings:


WEEK TWO: FOREIGN INVESTMENT IN WORLD DEVELOPMENT:
(Mon., Jan. 14, 2008) THE LEGAL FRAMEWORK

Readings:


WEEK THREE: INVESTMENT INCENTIVE LAWS AND OTHER LEGISLATION DEFINING PARAMETERS OF HOST GOVERNMENT - FOREIGN INVESTOR RELATIONSHIP

Readings:


(3) Bryan, G., et. al. ------------------------ "Foreign Investment Laws & Regulation of Democratic People’s Republic of Korea.” 21 Fordham J. Int’l L. 1677 (1998); 21 FDMILJ 1677

(4) Qin, L.M. ------------------------------- Attracting Foreign Investment into the PRC: The Enactment of Foreign Investment Laws. 4 Sing. J. Int’l & Comp. L 159 (2000); 4 SINGJICL 159

WEEK FOUR: HOME GOVERNMENT INCENTIVES FOR FOREIGN INVESTMENTS

Readings:


(For reference purposes only)


(6) I.C.S.I.D. -------------------------- Investment Laws of the World (looseleaf)


WEEK FIVE: INTERNATIONAL REGULATION OF TRANSNATIONAL CORPORATIONS
(Mon., Feb. 11, 2008)

Readings:


WEEK SIX: RENEGOTIATIONS AND DISPUTE - RESOLUTION IN THE TRANSNATIONAL INVESTMENT PROCESS (Tues., Feb. 19, 2008)

Readings:


Readings:


Readings:

WEEK NINE: TERMS OF CONTRACT: CLAUSES PROMOTING LINKAGES
(Mon., Mar. 10, 2008)

Reading:

(1) Smith, D.N. & L.T. Wells -------------- Negotiating Third World Mineral
    Agreements (1975) pp. 97

(2) Linares, J.C. ------------------------ “The Development Dilemma:
    Reconciling U.S. Foreign Direct Investment
    in Latin America with Laborers’ Rights: A
    Case study of Mexico, The Dominican
    Republic and Costa Rica”
    29 N.C. J. Int’l L. & Com Reg 249
    (2003); 29 NCJILCR 249

(3) Blinn, K.W. et. al ---------------------- International Petroleum Exploration
    and Exploitation Agreements (1986) pp. 163-180

(4) Selected Investments Contracts

WEEK TEN: TERMS OF CONTRACT: PROVISIONS DEALING WITH

Readings:

(1) Kirchner, et al. ---------------------- Mining Ventures in Developing

(2) Flores, M. --------------------------- “A Practical Approach to Allocating
    Environmental Liability and Stabilizing
    Foreign Investment in the Energy Sectors of
    Developing Countries.”
    12 Colo J. Int’l Envtl L. & Pol’y 141 (2001);
    12 COJIELP 141

(3)


(6) Selected Investment Contracts

**WEEK ELEVEN:** TERMS OF CONTRACT: CLAUSES DEALING WITH EXPROPRIATION AND NATIONALIZATIONS

Readings:


(3) Barrett, R "Avoiding The Expropriation Nightmare: Tax Consequences and Asset Protection Techniques” 52 U. Miami L. Rev. 831 (1998); 52 UMIALR 831

**WEEK TWELVE:** TERMS OF CONTRACT: CLAUSES ENSURING GOOD FAITH PERFORMANCE

Readings:


(3) Selected Investment Contracts
WEEK THIRTEEN: MISCELLANEOUS PROVISIONS: REPORTING, ACCOUNTING, AUDITING, FORCE MAJEURE, TITLE OF ASSETS
(Mon., Apr. 14, 2008)

Readings:


(3) Selected Investment Contracts

WEEK FOURTEEN: GENERAL PERSPECTIVES: COUNSELING THE FOREIGN INVESTOR
(Mon., Apr. 21, 2008)

LAST DAY OF CLASSES

ALL PAPERS DUE