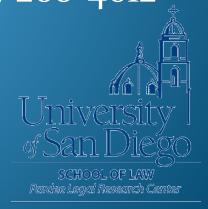
# IBT Research part 2: Foreign Investment

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#### What we will cover

- International Agreements
  - Bilateral Investment Treaties (BITs)
  - U.S.-Mexico-Canada Agreement (USMCA)
- Dispute Settlement
  - Kluwer Arbitration
- Foreign Investment Laws
- Resources on Westlaw and Lexis for M&A, CFIUS, and global investment
  - Practical Law (Westlaw)

# International Agreements

## Finding BITs

- Investment Instruments Online via UNCTAD Searchable database of more than 2,500 BITs <a href="http://investmentpolicyhub.unctad.org/IIA">http://investmentpolicyhub.unctad.org/IIA</a>
- OAS Foreign Trade Information System (SICE)
   This OAS foreign trade database has a page specifically dedicated to bilateral investment treaties <a href="http://www.sice.oas.org/Investment/main\_e.asp">http://www.sice.oas.org/Investment/main\_e.asp</a>
- U.S. Bilateral Investment Treaties
   <u>Department of State</u>
   <u>U.S. Trade Representative</u>

### Treaty Research in General

• Treaty Research (USD research guide)
Covers common treaty abbreviations (e.g. U.N.T.S. and I.L.M.), how to access treaties online, treaty citation and travaux préparatoires (treaty negotiation papers).

• Treaty Research (Georgetown)
With an excellent section on finding BITs where the U.S. is not a party

#### **USMCA**

- Full-text and analysis
  - available on the <u>USTR website</u>.
- Congressional Publications
  - Hearings, CRS reports, legislative history and other congressional publications available through <u>ProQuest</u> <u>Congressional Publications</u>
- The USMCA, NAFTA Re-Negotiated and Its Business Implications in a Nutshell / Ralph H. Folsom
  - Available through West Academic Study Aids
- Expert Analysis
  - Available through <u>Law 360 via Lexis</u>

# Dispute Settlement

#### Investor-State Arbitration

#### ICSID

This World Bank free website offers resources for conciliation and arbitration of international investment disputes, including copies of awards and decisions.

#### • Kluwer Arbitration

Kluwer Arbitration's subscription database includes the full texts of bilateral investment treaties, as well as arbitral decisions and awards issued in investor-state disputes. It also provides access to secondary sources, including over 200 e-books.

#### Italaw.com

Comprehensive and free database on investment treaties, international investment law and investor-state arbitration.

# Foreign Investment Laws

#### Investment in China

- China's Foreign Investment Law (Westlaw)
- <u>Corporate Counsel's Guide to Doing Business in China</u> (Westlaw)
- China Law Database (Lexis)
  The LexisNexis China Law Database (LNCHNL) is a selected collection (1891-current) of Chinese laws, regulations, tax information, judicial decisions, and other legal documents, collected from government sources, and translated by Lexis

### Foreign laws

- OAS Foreign Trade Information System (SICE)
   This foreign trade database also has a page specifically dedicated to national investment laws <a href="http://www.sice.oas.org/Investment/natlegis\_e.asp">http://www.sice.oas.org/Investment/natlegis\_e.asp</a>
- Foreign Law Guide An excellent starting point for locating the statutes of another country. For each foreign country there is a section listing online resources and sources of law by subject.

## **Copley Databases**

#### China Data Online

 Provides comprehensive and updated statistics on China's economic development at national, provincial, city, county, and industrial levels.

#### Economist Intelligence Unit

 The Economist Intelligence Unit provides a constant flow of analysis and forecasts on more than 200 countries and eight key industries. Country analysis includes in-depth economic, political, business, and industry information. Trends, forecasts, market indicators, and more.

#### Asia Studies Full Text

- Asia-Studies.com brings together thousands of full-text reports covering 53 countries on a multitude of business, government, economic, and social issues.
- All three databases are available through <u>Copley Library Databases</u>.

Resources on Westlaw and Lexis for M&A, CFIUS, and global investment

### Practical Law (Westlaw)

- To access Practical Law on <u>Westlaw</u> you want to start on the Contents tab, and click on Practical Law
- <u>Practical Law</u> provides checklists, form documents, topic overviews, and other practice resources. The focus is on transactional law resources, with emphasis on global/comparative aspects.
- Practice Areas include (but are not limited to):
  - Antitrust
  - Arbitration

  - Bankruptcy & Restructuring Capital Markets & Corporate Governance
  - Commercial Transactions
  - Corporate and M&A
  - Finance
  - Intellectual Property & Technology
  - Real Estate

# Treatises & Practice Guides (Westlaw)

- Acquisitions and Mergers: Negotiated and Contested Transactions
  - Chapter and sample documents on foreign M&A
- Transnational Joint Ventures
- International Regulation of Finance and Investment
  - Regulation (via international agreement, regional, or national legislation) divided by country.
- Manual of Foreign Investment in the United States
  - Go-to manual for investment in the US, see ch. 11 for CFIUS
- International Business Transactions
  - Prof. Folsom's treatise including chapters on investment

# Treatises and Practice Guides (Lexis)

- Lexis has a small collection of <u>international treatises</u> focused on business transactions. Two popular series are the Doing Business in (Country) and Getting the Deal Through practice guides. For example:
  - Doing Business in Canada
  - Getting the Deal Through: Tax on Inbound Investment
  - Getting the Deal Through: Public M&A
  - Getting the Deal Through: Real Estate
  - Getting the Deal Through: Investment Treaty
     <u>Arbitration</u>

#### We are here to help!

- Reference librarians are here M-F 9-5
- Check our website for current hours: <u>http://www.sandiego.edu/law/library/about/hours-of-operation.php</u>
- Reference Desk Phone: 619-260-4612
- Reference Desk email: <u>lrcrefer@sandiego.edu</u>