

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
<http://investmentpolicyhub.unctad.org/IIA>
- **OAS Foreign Trade Information System (SICE)**
This OAS foreign trade database has a page specifically dedicated to bilateral investment treaties
http://www.sice.oas.org/Investment/main_e.asp
- **U.S. Bilateral Investment Treaties**
[Department of State](#)
[U.S. Trade Representative](#)

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 [USTR website](#).
- Congressional Publications
 - Hearings, CRS reports, legislative history and other congressional publications available through [ProQuest Congressional Publications](#)
- 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 [Law 360 via Lexis](#)

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)
- [Corporate Counsel's Guide to Doing Business in China](#) (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
http://www.sice.oas.org/Investment/natlegis_e.asp
- **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 [Copley Library Databases](#).

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

Practical Law (Westlaw)

- To access Practical Law on [Westlaw](#) you want to start on the Contents tab, and click on Practical Law
- [Practical Law](#) 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 international treatises 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 Arbitration

We are here to help!

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