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](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](http://www.sice.oas.org/Investment/main_e.asp)

- **U.S. Bilateral Investment Treaties**
  [Department of State](http://www.state.gov)
  [U.S. Trade Representative](http://trade.gov)
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](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