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UNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENTS TECHNOLOGY, TRADE POLICY AND THE URUGUAY ROUND. Proceedings of the Round Table on Technology and Trade Policy published by the United Nations, 1990.

This United Nations' publication of the papers and proceedings of the Round Table on Technology and Trade Policy¹ provides the transnational practitioner with several insightful perspectives on the role of technology in the international trade arena. Further, such scholarly papers are certain to assist "policymakers in understanding better the role of technology in the processes of growth and development." In view of the anticipated influence of these papers on the development of national policy objectives, it may behoove the transnational practitioner to carefully studying the position of these scholars.

As might be expected from an UNCTAD² sponsored Round Table, this collection focuses primarily on technology-related subjects as they concern economic development in the South.³ In view of the international community's commitment to the objective of increasing the South's share in global economic development, the transnational practitioner should recognize the future significance of this Round Table to the formation of world trade policy.

Of particular interest is the inclusion of Professor Deepak Nayyar's⁴ paper entitled *Towards A Possible Multilateral*

1. In an effort to address the highly contentious subject of technology and trade policy, the United Nations Conference on Trade and Development/United Nations Development Programme of Technical Assistance to Developing Countries for Multilateral Trade Negotiations convened a Round Table at Delphi, Greece, Apr. 22-24, 1989.

2. UNCTAD is the acronym for the United Nations Conference on Trade and Development.

3. South is a term used for Developing States.

4. Deepak Nayyar is Professor of Economics, Centre for Economic Studies and Planning, Jawaharlal Nehru University, New Delhi.

Framework For Trade In Services: Some Issues and Concepts.

As one of the most contentious issues being debated at the Uruguay Round, trade in services is playing an increasingly larger role in the global economy. More to the point, the inter-relatedness of trade in services and technology and development¹ has caused considerable debate in the area of trade-related aspects of intellectual property rights (TRIPs).

Professor Nayyar's conclusion that "it is exceedingly difficult to formulate an appropriate multilateral framework for trade in services" indicates the plausible belief that further negotiations between North and South members of the international community will be rather volatile.

THE EMERGING INTERNATIONAL LAW OF DEVELOPMENT. By F.V. Garcia-Amador. Oceana Publications, Inc., 1990.

Professor Garcia-Amador's¹ book seeks to examine the main aspects of the emerging "international law of development" (ILD). With a conspicuous Southern² tone, this intriguing study begins with the premise that the ILD has its roots in the United Nations Charter. Building upon this foundation, Professor Garcia-Amador claims that the "constituent elements" of the ILD are the "right to development" and the "duty to cooperate for development." It is at this juncture of his thesis that Professor Garcia-Amador launches upon an impressive analytical study of the various international treaties which embody

5. Services have acquired a new role in the application, adaption, and transfer of technology while, at the same time, advances in technology — particularly information and communication technologies — have provided new conduits for trade in services and have strengthened the competitive capacities of the transnational firms that possess such technologies.

1. Professor F.V. Garcia-Amador is a Professor of Law at the University of Miami School of Law.

2. South or Southern refers to Developing States.

supportive statements for the claimed "right" and subsequent "duty" of the ILD.

After outlining some of the claims of the developing world,³ Professor Garcia-Amador concentrates his analysis on the claim to permanent sovereignty over natural resources and permanent sovereignty with regard to other aspects of private foreign investments. In discussing the claim to permanent sovereignty over natural resources, Professor Garcia-Amador takes on the various components making up "the right of every State to take foreign-owned property by means of expropriation or nationalization." Professor Garcia-Amador's analysis of permanent sovereignty with regard to other aspects of private foreign investments focuses primarily "on the law governing contractual relationships between host States and foreign enterprises, and the settlement of investment disputes."

In his *Epilogue*, Professor Garcia-Amador analyzes the current attempts to revise international law in light of the ILD. Not surprisingly, this revisionary process relates directly to the creation of a new international economic order (NIEO). The NIEO, which has been incorporated into several international charters and declarations,⁴ is primarily concerned with making "it possible to eliminate the widening gap between the developed and the developing countries. . ."⁵ In what should be considered a reasonable and refreshing approach to the creation of a NIEO, Professor Garcia-Amador concludes that moderate, rather than radical, positions should be pursued in an

3. Professor Garcia-Amador discusses several claims including the claim to development assistance, the claim to preferential treatment in the area of trade, the right of every State to benefit from science and technology, the principle of the common heritage of mankind, the principle of participatory equality in international economic relations, and the right of States to choose their economic system.

4. Professor Garcia-Amador refers to the DECLARATION ON THE ESTABLISHMENT OF A NEW INTERNATIONAL ECONOMIC ORDER, the CHARTER OF ECONOMIC RIGHTS AND DUTIES OF STATES, and the DECLARATION ON THE RIGHT TO DEVELOPMENT.

5. DECLARATION ON THE ESTABLISHMENT OF A NEW INTERNATIONAL ECONOMIC ORDER, U.N. General Assembly Resolution 3201 (S-VI), May 1, 1974.

effort to achieve a NIEO.⁶

6. "In this sense, what must be avoided from the outset are radical positions, especially when such positions are adopted to favor, unjustifiably, a particular class of countries. . . . Moderate, well-balanced revisions must be considered . . . in the current pursuit of a new international legal order."