



INSTITUTE FOR INTERNATIONAL AND FOREIGN TRADE LAW

ADRIAN S. FISHER, DEAN AND PROFESSOR OF LAW  
CHAIRMAN, BOARD OF TRUSTEES

DON WALLACE, JR., PROFESSOR OF LAW  
DIRECTOR

GEORGETOWN UNIVERSITY LAW CENTER  
600 NEW JERSEY AVENUE, N.W.  
WASHINGTON, D.C. 20001  
TEL: 624-8331

September 7, 1971

Dear

I enclose the annual report for 1971. You will have received a notice that we will be holding the meeting of the Board of Trustees at 10:00 on September 16. We will hold it in Room of the new Law Center. Our address, as you see, is 600 New Jersey Avenue; we are between First and Second Street and F and G Street, N.W., approximately three or four blocks from the old law school building (rather close to the Securities and Exchange Commission). We plan to have lunch at 1:00 in the Monocle Resaurant located at 107 D Street, N.E.. We will be giving you copies of an agenda and proposed budget before the meeting.

You will all have been invited to the dedication on September 17 and 18 and I hope that you will all be able to attend.

I look forward to seeing you.

Sincerely yours,

*Don W.*  
Don Wallace, Jr.



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### DIRECTOR'S ANNUAL REPORT - 1971

#### Introduction

A few introductory observations may be in order, before proceeding to report on the particular activities of the past year, and our current and planned activities. I think the future of the Institute is hopeful, for a number of reasons:

- (i) We have again been reminded in recent weeks that international relations, and specifically economic ones, remain of great importance to the United States, Germany and other countries;
- (ii) There is, at least in the United States, great student interest in law and law schools; this can be reflected in support for new law school programs in the international area;
- (iii) The Georgetown law center, located in Washington, and in a period of considerable development, stands to gain from these facts;
- (iv) The Georgetown University authorities wish Georgetown to have a large international role.

During the last year the Institute has continued to develop and expand, much along the lines indicated in my report of last year, and I expect this to continue. Our Schulte Zur Hausen exchange program, our other exchanges with Germany and Europe, and research and conferences related to Europe will remain a principal focus of the Institute; at the same time we are adding projects also involving other parts of the world. Our staff will be filled out, for example through

the association of part-time professors in the Institute's work. As the law center's faculty expands and grows in interests, we will try to draw more of its members into the Institute's activities.

We are also increasing the links with the law school's student body, and may seek to establish new links with other components of the University.

Georgetown University Law Center has now moved into a splendid new building in downtown Washington, not far from its old location, and the Institute has been installed in that building. Just a few weeks ago we offered, in our new quarters, an orientation course in American Law to a substantial number of foreign law students from Germany, Japan, the Middle East, Latin America and elsewhere coming to Georgetown, Berkeley, Harvard, Yale, Chicago, Virginia, George Washington, Wisconsin, and other American law schools. In a sense, this program, if we continue to strengthen it, can really make us the gateway to American law schools.

Finally, the Institute remains determined to broaden its funding base.

#### Activities of Past Year

The proceedings of our conference on foreign direct investment in the United States, held October 12 and 13, 1970 just before last year's board meeting, were published in the spring, and a considerable number of copies have been sold. Copies of the proceedings were also distributed to the conference participants and others.

Our exchange of students and scholars with Germany (Frankfurt and elsewhere) was especially vigorous this past year. We had between six to eight graduate law students and university assistants, under various funding, with us (Appendix A) throughout the year. Some took degrees at the law school, some worked on their German doctorates; a few did research in the Institute; we placed several with American law firms for part-time work. Another young German, Mr. Mielert, worked at Arnold and Porter during the year. The American Schulte Zur Hausen graduate fellow in Washington, Cab Howard, has now gone to Frankfurt; in addition, we have provided a two year fellowship for Stuart Matthews, who will remain in Washington for both years. We also sent an American student to the

Frankfurt institute for the summer. Professor Wolfgang Von Marschall, of Frankfurt, was with us and gave a seminar in the comparative law of torts and contract. Professor Robert Anthony, on sabbatical from Cornell Law School, was in residence at the Institute.

As already noted, we presented for the first time this year, a two week orientation course in American law for foreign law students coming to the United States; the list of students and the general syllabus are attached as Appendixes B1 and 2. Father Henle, the President of the University, welcomed the students.

We provided a program of orientation, interviews, appointments, office assignments and social events for Indonesian officials (Appendix C) this past summer, pursuant to an agreement with the law school of the University of California at Berkeley (Professor Buxbaum), where the officials studied during the past academic year. Berkeley is funded by the Ford Foundation and we received a small payment of such Ford funds.

### Current and Planned Activities

#### Current

We plan to complete the study on foreign direct investment in the United States, described in last year's annual report and undertaken more than two years ago, within the next month or two. The study will be published in both English and German. We have made arrangements to have the English language version published by Law and Policy in International Business, Georgetown law center's international law journal. Mr. Rosendahl has worked diligently on this project. Mr. Howard has also worked on it as have several assistants in the Frankfurt Institute. We expect Mr. Rathkopf (formerly editor-in-chief of Columbia law school's international law journal), this year's Schulte Zur Hausen fellow, to provide the necessary final editorial assistance. Various members of the Institute staff and fellows, as well as outside advisors, have contributed sections, including Mrs. Ruof, Mr. Matthews, Mr. Howard, Mr. Rosendahl. Professor Kronstein's contributions were described in last year's report.

We have been retained by the United Nations and the Swedish International Development Authority to prepare teaching materials for a series of seminars to be given by the United Nations Institute of Training and Research in Africa, Asia and Latin America on the subject

of the procurement of goods and services (engineering and construction services, and equipment) by developing countries. The Director and Mr. Matthews are working on these materials, which we hope to complete this fall.

The Institute will provide a diversified program of supervised research, both for academic credit and to satisfy the law center's legal writing requirement this fall. A copy of the announcement is attached as Appendix D. The Director, adjunct professors Cameron and Wolff and George Roman, the Institute's librarian, as well as Rubens Medina, the chief of the Hispanic law section of the Library of Congress, will supervise research. Mr. Cameron's Latin American project represents a continuation of research directed last year with respect to investment in Latin America.

We have agreed with Berkeley to receive another group of Indonesian officials this next year.

#### Planned

We plan to continue and expand our exchange and research connections with Europe. To this end, the Director has had discussions with John Wolff, an adjunct professor, to assist in the supervision of European students here and American students interested in European subjects. We have discussed the possibility of a research project in the area of U.S. administrative agencies, which would also involve such Georgetown professors as Philip Elman and other present or former agency commissioners and high officials. This would require considerable further discussion.

We plan a major conference in the fall of 1972 on the subject of international control of investment. This conference would concern itself with activities of the multi-national corporations and international investment; and more specifically the need for international organization in this area and the relationship of any new organization to existing international organizations such as GATT IMF, OECD and the EEC. We hope to have written papers prepared in advance of the conference which along with its proceedings would be published as a book; hopefully the conference will generate additional research. We are investigating the possibility of some funding for this conference.

We intend to expand the orientation program next year. We will probably formally advertise the program in Europe and elsewhere, and

invite other law schools to establish formal relations with us, provide lectures and make a financial contribution. We may also ask DAAD and similar bodies to make a financial contribution. It is quite possible that we can replace the old Orientation Program in American Law (OPAL). Adjunct Professors Cameron and Wolff and Mr. Matthews will work with the Director on this matter this year. We will also consult Associate Deans Schotland and Winograd.

Discussions on the establishment of an investment negotiating center, discussed in last year's report, continue. In addition to a continuing commitment from the Agency for International Development of the Department of State to make finances available, the Development Center of the Organization for Economic Cooperation and Development has indicated it is prepared to sponsor this project; the International Finance Corporation and the UN have also indicated an interest in this project.

We will explore the possibility of an enlarged procurement project, based on our work for the U.N./SIDA seminars. A steering committee has been established to this end, including the Associate General Counsel of the World Bank, the General Counsel of the Inter-American Development Bank, the Director of the Institute, a representative of the International Chamber of Commerce, and others.

We have had some preliminary discussions with the International Legal Center in New York looking to a formalization (pursuant to which we would be compensated) of our present informal practice of assisting them with foreign judges, professors, lawyers, and others who visit Washington. The Director and Adjunct Professor Cameron will examine the possibility of creating a Latin American program. We are also examining the possibility of at least giving our good offices to the creation of a comparative law program in Washington in cooperation with George Washington University Law School, including Latin America, Eastern Europe, and the Middle East. The Director has had some conversations with the Flemish speaking law faculty of the Free University of Brussels about cooperation between it and the Institute.

#### Luncheons, Publications, Lectures, Other Activities

Through the good offices of Professors Heinrich Kronstein and Gunther Jaenicke, the Director gave lectures at Frankfurt University

and the Max Planck Institute at Heidelberg this last spring. The Director has also been made the Vice Chairman of the International Law Section of the American Bar Association and made chairman of its ad hoc committee on relations with the developing countries. This summer the Director participated in a Yale-NYU study of the feasibility of foreign assistance to Turkey in the area of law.

The Institute referred to Adjunct Professor Duncan Cameron an assignment to analyze the current U.S. foreign assistance legislation to be done for the American Enterprise Institute, and to Mr. Roman, our librarian, a portion of a book on Brazilian legal history. Mr. Matthews, one of our graduate students, was enabled to do research for AID and the World Bank related to the work of the Institute. Roger Rosendahl will work for the Mueller firm in Frankfurt and may do a brochure on Anglo-American and German banking terms. The Institute sponsored a number of luncheons this year; speakers included Professor Von Marschall; Professor Tugrul Ansay, Professor of Law at Ankara University; Professor of Law Hafezullah Kahn of Lahore, Pakistan; and Cecil Hunt, Acting General Counsel of the Overseas Private Investment Corporation.

The Director also participated in a panel at the Georgetown School of Foreign Service on careers in the international area. Persons associated with the Institute have published a number of articles this year.

### Administration

We have made informal arrangements with two adjunct professors, Duncan Cameron and John Wolff, to participate in the work of the Institute. Professor Cameron will assist with Latin America, assistance to foreign students from developing countries, supervise research and assist with fund raising and the orientation program. Professor Wolff will assist with with European students, supervise European research, and assist with the orientation program. Helga Ruof has developed the Indonesian program, the administrative side of the orientation program, prepared the publication of the conference proceedings, will arrange for the technical aspects of the publication of our study, and will work on the new conference on international investment. Stuart Matthews, our american graduate fellow, was largely responsible for arranging the substantive side of the orientation program and will work on the United Nations teaching materials.

As noted, Roger Rosendahl, in Frankfurt, has devoted a great deal of time to the foreign direct investment study; Cab Howard has given some time to that study; Clifford Rathkopf will do the final editing of the study and will work on the new international investment conference. In addition to the German students and professors who were with us last year, Christoph Stalder of Switzerland has just joined us as a Schulte Zur Hausen fellow. Luis Heredia-Bonetti of the Dominican Republic and the firm of Kirkwood, Kaplan, Russin and Vecchi, will be with us this year, will do research for us, take a degree, and work for the Washington office of his firm. The Ford Foundation and the International Legal Center has sent us Mr. M. Housseiny from Beirut.

George Roman, a former Rumanian legal official and professor, has become the Institute's librarian. The Institute's library collection has been placed in the main library, and the Institute will now work with the library in organizing acquisitions in the foreign and international field; we have set up an ad hoc committee for this purpose.

The Director should also acknowledge the help of our former secretary Gabriella Howard, and our new secretary and administrative assistant, Vicki Otten. Charlott Weyersberg has been of assistance with foreign students and many other matters.

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The Institute has offices in the new building; we also hope to avail ourselves of carrels in the library for our foreign students.

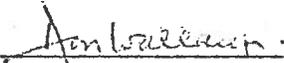
The Institute supports the work of the Director as the law center's foreign student advisor; there are a considerable number of foreign students at the law school this year from many parts of the world. The Institute hopes to publish a brochure for foreign students this year. As promised in last year's report, we do intend to publish a newsletter approximately every four months. We had three to four summer research assistants and will have one or two research assistants through the winter.

The Institute may also publish a brochure describing its activities this year. We also hope to further strengthen our links with Law and Policy in International Business.

The Future

In summary:

- (i) We intend to continue our growth while preserving a real focus on our European program, as well as an interest in the developing countries. While strengthening exchange programs, we should not ignore research and conferences. We must continue to strengthen our links with the students and faculty of the Law Center and shall do so. The strengthening of our orientation program would strengthen links with other schools. We will continue discussion with other components of Georgetown University.
- (ii) We should augment personnel, and somewhat diversify our board of directors.
- (iii) We must strengthen our funding base; we are grateful to the Association and Georgetown University for the funds which they provide; we will continue to seek new project funding, in addition to the small amounts from U.N./SIDA and Berkeley/Ford. We will also seek general funds for the Institute proper.

  
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Don Wallace, Jr.,  
Professor of Law and Director

APPENDIX A

Graduate Students

1. Hildegard Becker - Germany
2. Manfred Beschel - Germany
3. Victor Bruns - Germany
4. Cornelius Canenbly - Germany
5. Manfred Dausen - Germany
6. Alfred Heinzinger - Germany
7. Onka Sharma - India
8. Peter Stadler - Germany
9. Jochen Trebesch - Germany

APPENDIX B

Orientation Program

INTRODUCTION TO THE U.S. LEGAL SYSTEM

Schedule of Events

Note: All meetings will be held at Georgetown University Law Center, 600 New Jersey Avenue, N.W., Room 1B-52, unless otherwise indicated.

Sunday, 22 August                    5:00 - 7:00 PM Reception  
Georgetown Law Center Courtyard

Monday, 23 August                    10:00 Father Robert J. Henle, S.J.  
President of Georgetown University  
Welcome

    10:30 Professor Don Wallace, Jr.  
General Introduction to U.S. Legal System

    2:00 Professor John Harrison Boyles  
Legal Research and Legal Materials

    4:00 Father Harold C. Bradley S.J.  
Director of the Office of International  
Programs Georgetown University  
Cummings v. Missouri: The Reciprocal  
Influences of Legal and Cultural Systems

Tuesday, 24 August                    10:00 Professor Chester J. Antieau  
Constitutional Law

    2:00 Professor Chester J. Antieau  
Constitutional Law

Wednesday, 25 August                    10:00 Professor Addison M. Bowman  
Rights of the Criminal Accused

    AFTERNOON - Free time to visit Washington  
See list of points of interest

Thursday, 26 August                    10:00 Robert E. Herzstein, Esquire  
Partner in the law firm of Arnold & Porter  
The Civil Law Suit  
This meeting will be held at Arnold & Porter  
1229 19th Street, N.W.

Thursday, 26 August

2:00 Professor Roy A. Schotland  
Administrative Law

6:00 Cocktails with Washington Lawyers  
This will be held at the Monocle Restaurant  
107 D Street, N.E.

Friday, 27 August

10:00 Professor John Wolff  
Case Law

1:00 Luncheon meeting with World Bank  
Officials  
Aaron Broches, General Counsel of the  
World Bank will speak on the World Bank as  
a law making institution.  
Messrs. Escobar, Cope, Mendel, Hitmeyer, and  
Lind of the Bank staff will attend.  
The luncheon will be held at the National  
Lawyers Club, 1815 H Street, N.W.

Saturday, 28 August

10:00 Professor John A. Kennedy  
Legislation

Monday, 30 August

10:00 Professor John Wolff  
Case Law

2:00 McGovern Presidential Headquarters  
410 1st Street, S.E.

Tuesday, 31 August

MORNING - Free time to see Washington

4:00 The Congressman's role in the U.S.  
Legal System.  
This meeting will be held in the office of  
Congressman David Obey (Wisconsin)  
415 Cannon Building

Wednesday, 1 September

10:00 Judge Charles Fahy  
Senior Circuit Judge U.S. Court of Appeals  
for the District of Columbia  
The Role of the Appellate Court Judge in  
the U.S. Legal System  
This meeting will be held in the Judge's  
chambers at the U.S. Court House  
3rd and Constitution Avenue, N.W.

Wednesday, 1 September

10:00 Mr. Arthur Downey  
National Security Council  
The Executive

Thursday, 2 September

10:00 Mr. Donald Santorelli  
Associate Deputy Attorney General  
The Justice Department

2:00 The American Law Firm  
This meeting will be held in the office  
of Arendt, Fox, Kitner, Plotkin & Kahn  
1815 H Street, N.W.

Friday, 3 September

10:00 Panel Discussion  
Role of the Law School in U.S. Legal  
System

4:00 Judge William Jones  
U.S. District Court for the District  
of Columbia  
The Role of the Trial Judge in the U.S.  
Legal System

This meeting will be held in the Judge's  
Chambers, Room 2315, U.S. Court House  
3rd and Constitution Avenue, N.W.

6:00 Closing Social

LIST OF PARTICIPANTS IN THE ORIENTATION PROGRAM 1971

Confirmed participants:

<u>Name and Address</u>	<u>Nationality</u>	<u>University in U.S.</u>	<u>University in home country</u>	<u>Area of Concentration</u>
Ashby, Margaret Post Office Box 837 Santos, Brazil	Brazilian	Virginia	Faculdade Catolica de Direito de Santos	International
Baalbaki, Mohamad Post Office Box 1085 Beirut, Lebanon	Lebanese	Harvard	Lebanese University	Commercial
Bartsch, Ursula Allgauerstrasse 7 8 Munich, Germany	German	Berkeley		
Basnayake, Edirishna 23 Deva Veediya Kandy, Ceylon	Ceylonese	George Washington	University of Ceylon	Advocate
Bohne, Eberhard Felenenstrasse 18 53 Bonn-Beuel, Germany	German	Wisconsin	University of Bonn	Public Law
Ja Niva, Angel 3411 Carlyn Spring Rd. Falls Church, Va. 22041	Venezuelen	Georgetown	Universidad National del Zulia	Labor Law
Indres, Konrad Auhofstrasse 126/11 A-1130 Vienna, Austria	Austrian	Harvard	University of Vienna	Private Law
Bonnetti, Luis Heredia Calle Colon 7 Santo Domingo	Dominican	Georgetown	Universidad de Santo Domingo	Civil Law, Commercial

<u>Name and Address</u>	<u>Nationality</u>	<u>University in U.S.</u>	<u>University in home country</u>	<u>Area of Concentration</u>
Fink, Karl-Hermann c/o B.D. Penner Box 1990 Steinbach Manitoba, Canada	German	Yale	" Göttingen	East-West Co
Fonteyne, Jean-Pierre Peperstraat 22 900 Ghent, Belgium	Belgian	Virginia	Rijksuniversiteit Ghent	Law of Sea, W
Hartnell, Anthony Wolgal Place Aranda A.C.T. Australia 2614	Australian	George Washington	Australian National University	Commercial
Hatasawa, Tamotsu c/o Tohoku University Sendai City, Japan	Japanese	Virginia	Tohoku University	Products Lia bility
Housseiny, Mohamad Al Ras Al Nabeih-Omar Ben Khatah Street Ahmed Harb Boulevard Beirut, Lebanon	Lebanese	Georgetown	Lebanese University	Public Int'l
Helle, Torgeir Annerudskogen 86 1370 Asker, Norway	Norwegian	Virginia	University of Oslo	
Jarass, Hans Hesstrasse 77 8 Munich 13, Germany	German	Harvard	University of Munich	

<u>Name and Address</u>	<u>Nationality</u>	<u>University in U.S.:</u>	<u>University in home country</u>	<u>Area of Concentration</u>
Kübel, Klaus Liebigstrasse 5 Frankfurt/Main, Germany	German	Berkeley	Frankfurt University	International
Kutschelis, Georg im Hülsebusch 43 463 Bochum, Germany	German	S. California	University of Bochum	Conflict of Law
Yeh, Yeu-Shyan 53 Ho Kiang Street Taipei, Taiwan Republic of China	Chinese	George Washington	Chung Hsing University	Corporation
Mihyo, Khalil Saleem c/o Masri & Mikyo Stores Souk Abo-Nasr Beirut, Lebanon	Lebanese	Virginia		
Retiwa, Werner 5804 Greentree Road Bethesda, Md. 20034	German	Berkeley		
Schlueter, Bernhard Jelmholtzstrasse 20 D-69 Heidelberg, Germany	German	Berkeley	Heidelberg	International
Schmitt, Jost Anna-Bosch-Strasse 20 Apartment 13/1 74 Tubingen-Lustnau Germany	German	Berkeley	University of Tubingen	

<u>Name and Address</u>	<u>Nationality</u>	<u>University in U.S.</u>	<u>University in home country</u>	<u>Area of Concentration</u>
Shiraishi, Osamu c/o Brother Anthony Young The Marianists P.O. Box 586 Santa Cruz, Calif.	Japanese	Virginia	University of Tokyo	International
von Armin, Joachim Weiherstrasse 2 53 Bonn, Germany	German	Northwestern	University of Bonn	
Wischmann, Anne-Marie Kleine-Krodosttrasse 1A 3388 Bad Harzburg, Germany	German	Berkeley	University of Hamburg	American Anti Trust
Ziemen, Ekkehart 39 Neberlingerstrasse 3 Munich 19, Germany	German	Wisconsin	Munich University	Labor and Corporation

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APPENDIX C

Indonesian Officials

1. Mr. Iskandar, Jr. - Department of Industry
2. Mr. Kuntjoro Jakti, B.M. - Department of Trade
3. Mr. Sjakur Machmud - Bank of Indonesia
4. Mr. Yanda Mohammad - Bank of Indonesia
5. Mr. Santosa Rahardja - Department of Finance
6. Dr. Triguno - BAPPENAS

APPENDIX D

The Institute for International and Foreign Trade Law

SUPERVISED RESEARCH AND  
LEGAL WRITING-1971-2

The Institute wishes to announce a new program of supervised study, research and writing in various areas of international and foreign law, and U.S. constitutional law related to foreign affairs. Participation in this program will enable you to become involved in the work of the institute, satisfy the legal writing requirement and, in special cases earn academic credit.

During the 1971-2 Academic Year work may be done with the following members of the Institute staff, in the following areas; it may be that other areas can be added:

Adjunct Professor Duncan Cameron

1. Latin American Legal Problems. Rubens Medina, Chief Librarian, Hispanic Law Section, Library of Congress will cooperate with Professor Cameron in this program.
2. Mixed Public and Private International Economic Organizations (e.g. seabed, satellites, airlines)

George Roman, JD, MCL

3. Eastern European Law

Professor Don Wallace, Jr.

4. Regulation of Multinational Corporations and International Investment
5. Government Procurement by Developing Countries
6. U.S. Constitutional Aspects of Foreign Affairs

Adjunct Professor John Wolff

7. The International Protection of Human Rights
8. Criminal Procedure in Foreign Countries

Students interested in this program should contact Professor Wallace at the Institute, Room 1B-32, extension 330 by September 15, 1971 (if academic credit is desired, contact should be made by as early in September as possible).