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Editor's Note

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EDITOR'S NOTE

The INTERNATIONAL TRADE LAW JOURNAL in conjunction with the Maryland International Law Society proudly presents the proceedings of the Conference on Legal Aspects of United States-Republic of China Trade and Investment — a Regional Meeting of the American Society of International Law. Panelists included eminent personages from Asia, North America and Europe. This highly successful educational and communicative conference resulted from the desire to avoid the pitfalls endemic to most conferences of this nature. Self-serving remarks, excessively sententious comments, and overly-positive prognostications were wholly absent.

It is entirely to the credit of the conference and its distinguished participants that any statements reflecting overt nationalistic pride in Republic of China (ROC) were roundly justified through consummate analysis and documentation of the ROC's astonishingly rapid economic development. A truer grasp of the substantive and stimulating mood of the proceedings will be found in the Foreword to the conference authored by David Simon.

To extol here, the virtues of Professor Chiu's perseverance, commitment to excellence, and importantly to all, his capacity for humor in light of seeming chaos, would be only a small measure of appreciation to his contribution. Wholehearted gratitude is extended to David Simon, Chairperson of the conference, who has those "special ingredients" for producing the right formula for a highly rewarding conference.

We are also honored to have John W. Evans bring his Department of State expertise to this issue. In his article, he details the failure of the GATT (General Agreement on Tariff and Trade) Rules to minimize trade-distorting subsidies and restrain arbitrary and excessive use of countervailing duties as applied to subsidized import products. Future prospects through negotiated agreements to this end are put in serious question. Keith Baker, as attorney-advisor to the Comptroller General of the United States, provides a legal excursus into the International Monetary Fund Articles of Agreement. The Articles are designed to eliminate foreign exchange restrictions inimical to world trade between member nations. Mr. Baker presents a sagacious analysis of foreign and domestic litigation affecting exchange contracts. Each case is viewed in light of jurisdictional, definitional, conflict of law, Act of State, and public policy doctrines, as well as their

interpretive consistency within the Fund Agreement. This article is especially relevant at a time when nations are drawing behind a cloak of protectionist devices in an effort to assuage economic instability.

Two recent developments are also presented. The first concerns a refugee's claim for restitution under military law resulting from acts of Nazi expropriation. The second arises out of the tragic Black September terrorist attack at Athens Airport and the commensurate liability of the airline carrier under the Warsaw Convention. Under normal circumstances, these works would be situated in our topical survey format to be resumed in the next issue.

Scholarly advice and positive advocacy have been the hallmark of Dean Michael J. Kelly's involvement with the JOURNAL'S continued progress. It is to that end we deeply acknowledge his contribution. We are indebted to Assistant Dean George M. Regan, who has afforded us continued consultation and administrative support.

Special acknowledgments are extended to Professor Edward A. Laing. No law school publication could find a better source of innovative ideas, dedication, and professionalism. My personal thanks are extended to those on the staff who labored and are still smiling.

Gilbert J. Genn