Denver

of International Law and Policy

Articles

The International Covenant on Civil and Political Rights: Background and Perspective on Article 9(1)

Treaty Acceptance in the African States

Doing Business in the Federal Republic of Germany

National Minorities as Legal Persons

Proceedings of the 1973 Regional Conference of the American Society of International Law at the University of Denver College of Law

International Law as an Instrument of National Policy

Student Comment

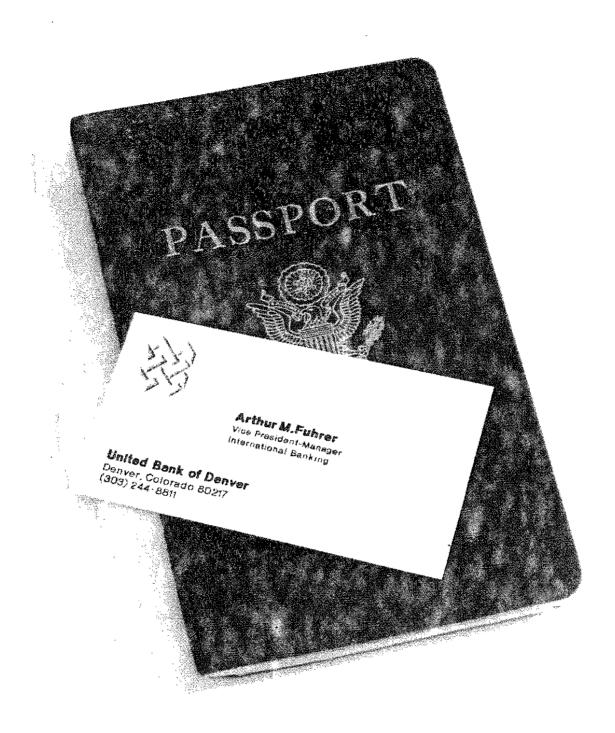
Foreign Investment in Thailand: The Effect of Recent Legislation

Case Notes

Sovereign Immunity — Anaconda Co. v. Corporación del Cobre, 55 F.R.D. 16 (S.D.N.Y. 1972), cert. denied, 93 S. Ct. 2735 (1973).

Book Review

Investment Laws of the World: The Developing Countries, compiled and edited by the International Centre for the Settlement of Investment Disputes



Our International Credentials



Denver Journal of international law and policy

VOLUME 3 NUMBER 2

FALL 1973

BOARD OF EDITORS

WILLIAM K. OLIVIER Editor-in-Chief

CATHY H. LEWIS Managing Editor WILL RIS Articles Editor

GREGORY B. ABBOTT Articles Editor

RANDOLPH J. NOGEL Articles Editor WILLIAM MOODY Business Editor

MICHAEL L. CORRIGAN Publications Editor

EDITORIAL STAFF

Carl A. Anderson Mary Butler Richard Hicks Daniel C. Hurlbutt Rod Patula Randolph Persson William Peterson Leon P. Sterling

LARRY SWARTZ

VED P. NANDA Faculty Advisor

Copyright 1973 by Denver Journal of International Law and Policy University of Denver (Colorado Seminary) College of Law CITE AS DENVER J. INT'L L. & POLICY



VOLUME 3 NUMBER 2

FALL 1973

ADVISORY BOARD

Denver Journal

OF INTERNATIONAL LAW AND POLICY

M. CHERIF BASSIOUNI, Professor, DePaul University College of Law

CHARLES P. BEALL, Professor, Political Science Department, University of Denver

JOHN BETZ, Coors Porcelain Co., Golden, Colorado

HON. ZACK V. CHAYET, Honorary Consul for the Honduras, Denver, Colorado

ALFRED COCO, Professor, University of Denver College of Law

GEORGE CODDING, Professor, Department of Political Science, University of Colorado

JONATHAN C. S. Cox, Esq., Denver, Colorado

- ROBERT C. GOOD, Dean, Graduate School of International Studies, University of Denver
- ED V. GOODIN, President, United Nations Association of Colorado, Denver, Colorado

JOHN LAWRENCE HARGROVE, Director of Studies, The American Society of International Law, Washington, D.C.

- DONALD W. HOAGLAND, ESQ., Partnes, Davis, Graham & Stubbs, Denver, Colorado
- LTC. BRUCE IRVING, Director, International Law Program, United States Air Force Academy
- FREDERICK L. KIRGIS, Professor, University of Colorado School of Law

JOHN A. MOORE, ESQ., Partner, Holland & Hart, Denver, Colorado

JOHN NORTON MOORE, Professor, University of Virginia School of Law

WILBERT E. MOORE, Professor, University of Denver College of Law VED P. NANDA, Professor, University of Denver College of Law

GLADYS OPPENHEIMER, Attorney, Denver, Colorado

ROBERT ROSENSTOCK, Advisor, Legal Affairs, United States Mission to the United Nations, New York, New York

WILLIAM R. Ross, Esq., Denver, Colorado

ROBERT B. YEGGE, Dean, University of Denver College of Law

UNIVERSITY OF DENVER COLLEGE OF LAW

Administrative Officers

MAURICE B. MITCHELL, L.L.D., Chancellor

JOHN L. BLACKBURN, B.S., M.S., PH.D., Vice Chancellor for Student Affairs

CARL M. YORK, B.S., M.S., PH.D., Vice Chancellor for Academic Affairs

DAVID PHIPPS, M.B.A., C.P.A., Vice Chancellor for Business and Financial Affairs

ROBERT B. YEGGE, A.B., M.A., J.D., Dean of the College of Law

CHRISTOPHER H. MUNCH, B.S., J.D., Associate Dean of the College of Law

JESSE MANZANARES, B.A., M.A., J.D., Assistant Dean

JOHN C. HANLEY, B.S., Assistant Dean

PHILIP E. GAUTHIER, B.S., Assistant to the Dean

CHARLES C. TURNER, A.B., J.D., Director of Continuing Legal Education

KATHLYN A. MUNCH, B.A., Admissions Officer

CAROL A. LASHLEY, Registrar

FACULTY

- WILLIAM A. ALTONIN, A.B., LL.B., LL.M., J.S.D. CANDIDATE, Associate Professor of Law
- WILLIAM M. BEANEY, A.B., LL.B., PH.D., Professor of Law

MURRAY BLUMENTHAL, B.M.E., M.A., PH.D., Professor of Law

- **THOMAS** P. BRIGHTWELL, B.S., J.D., C.P.A., Associate Professor of Law and Director of Natural Resources Program
- BURTON F. BRODY, B.S.C., J.D., Associate Professor of Law
- JOHN A. CARVER, JR., A.B., LL.B., Professor of Law
- ALFRED J. COCO, B.A., J.D., M.L.L., Professor of Law
- CHARLES A. EHREN, JR., A.B., J.D., Associate Professor of Law, Acting Director, Natural Resources Program
- WILLIAM S. HUFF, B.L., LL.B., Diploma in Law, LL.M., Professor of Law
- FRANCIS W. JAMISON, B.A., LL.B., Professor of Law
- ELI JARMEL, A.B., LL.B., M.A., Professor of Law
- JEROME L. KESSELMAN, B.A., M.B.A., LL.B., C.P.A., Professor of Accounting and Law
- CATHY STRICKLIN KRENDL, B.A., J.D., Assistant Professor of Law
- JOHN PHILLIP LINN, A.B., M.A., LL.B., Professor of Law
- NEIL O. LITTLEFIELD, B.S., LL.B., S.J.D., Professor of Law and Director of Business Planning Program
- THOMPSON G. MARSH, A.B., LL.B., M.A., LL.M., J.S.D., Professor of Law
- ALAN MERSON, A.B., LL.B., Associate Professor of Law and Director of Urban Studies Program
- WILBERT E. MOORE, B.A., M.A., A.M., PH.D., Professor of Law and Sociology
- JOHN E. MOYE, B.B.A., J.D., Associate Professor of Law
- VED P. NANDA, B.A., M.A., LL.B., LL.M., J.S.D. CANDIDATE, Professor of Law and Director of International Legal Studies Program
- JOHN H. REESE, B.B.A., LL.B., LL.M., S.J.D., Professor of Law
- HOWARD I. ROSENBERG, B.A., LL.B., Professor of Law and Director of Clinical Education Program
- H. LAURENCE Ross, A.B., M.A., PH.D., Professor of Law and Sociology

JOHN J. SCHANZ, JR., B.S., M.S., PH.D., Professor of Natural Resources

LAWRENCE P. TIFFANY, A.B., LL.B., S.J.D., Professor of Law

TIMOTHY B. WALKER, B.A., M.A., J.D., Associate Professor of Law and Director of Administration of Justice Program JAMES E. WALLACE, A.B., LL.B., B.D., TH.D., Professor of Law and Director of Professional Responsibility Program JAMES L. WINGKUR, B.A., LL.B., Assistant Professor of Law

Adjunct Professors of Law

HAROLD S. BLOOMENTHAL, B.S., J.D., J.S.D.

ALAN H. BUCHOLTZ, A.B., J.D.

JAMES E, BYE, B.B.A., LL.B.

RAYMOND J. CONNELL, LL.B.

WILLIAM T. DISS, JR., B.S., LL.B.

WILLIAM E. DOYLE, A.B., LL.B., Judge, United States Court of Appeals, 10th Circuit

HARRY O. LAWSON, B.A., M.S.

CLYDE O. MARTZ, A.B., LL.B.

ARCH L. METZNER, B.A., LL.B., Acting Director, Continuing Legal Education

HENRY E. SANTO, B.S.B.A., LL.B., Judge, Denver District Court

EDWARD J. SCHEUNEMANN, A.B., LL.B.

DON H. SHERWOOD, B.S., LL.B.

Arnold C. Wegher, B.M.E., LL.B., LL.M.

PROGRAM COORDINATORS

JOHN BAKER, B.A., J.D., Assistant to the Director of the Clinical Education Program JULL BRODY, B.S.C., Director of Placements

MITCHELL B. JOHNS, A.B., J.D., Judge, Denver District Court

JOHN P. MOORE, B.A., LL.B., Attorney General, State of Colorado

JAMES L. PHELEN, B.A., J.D., Assistant to the Director of the Clinical Education Program

ROLLIE R. ROGERS, B.A., LL.B., Public Defender, State of Colorado

RICHARD S. SHAFFER, B.A., J.D., Assistant to the Director, Clinical Education Program

WILLIAM H. WARD, JR., LL.B.

The JOURNAL greatly appreciates the financial support of its friends, without which publication would be impossible.

We would like to especially thank the following for their contributions.

Mr. Ed V. Goodin, Denver, Colorado Gates Rubber Company, Denver, Colorado Graduate Student Association, University of Denver Johns-Manville Corporation, Denver, Colorado The Student Bar Association, University of Denver College of Law The International Trade Association of Colorado

The submission to the Editors of articles of interest to the profession is invited. The opinions expressed herein, unless otherwise indicated, are not necessarily those of the College of Law or the Editors.



ARTICLES

The International Covenant on Civil and Political Rights: Background and Perspective on Article 9(1) Parvez Hassan	153
TREATY ACCEPTANCE IN THE AFRICAN STATES	185
A. Peter Mutharika	100
Doing Business in the Federal Republic of Germany	
Georg Kutschelis	197
NATIONAL MINORITIES AS LEGAL PERSONS	
Joseph B. Kelly	253
Proceedings of the 1973 Regional Conference of the American Society of International Law at the Uni- versity of Denver College of Law	275
International Law as an Instrument of National Policy	
Charles N. Brower	285
STUDENT COMMENT	
FOREIGN INVESTMENT IN THAILAND: THE EFFECT	
OF RECENT LEGISLATION	293
CASE NOTES	

Sovereign Immunity—Anaconda Co. v. Corporación del Cobre, 55 F.R.D. 16 (S.D.N.Y. 1972), cert. denied, 93 S.Ct. 2735 (1973). 305

BOOK REVIEW

INVESTMENT LAWS OF THE WORLD: THE DEVELOPING COUN-TRIES, COMPILED AND EDITED BY THE INTERNATIONAL CENTRE FOR THE SETTLEMENT OF INVESTMENT DISPUTES Donald W. Hoagland 313

, 'n ~ . . ,

.