

makers, for whom this book is intended to serve as a resource, will know how to find in them a broader understanding of the existing provisions.

*Swiss Institute of  
Comparative Law*

*Jarmila Looks*

Wälde, Thomas W. (ed.). *The Energy Charter Treaty: An East–West Gateway for Investment and Trade*. London, The Hague, Boston: Kluwer Law International Ltd., 1996. Pp. xxvii, 678. Index. \$265.

The Energy Charter Treaty ('ECT'), signed on 17 December 1994, was negotiated in the early 1990s during the course of, and in response to, the redrawing of the political map of Eastern Europe and the former Soviet Union. The ECT originated as a mechanism for accelerating economic recovery and free market reforms in Eastern Europe and the former Soviet Union, while at the same time opening up investment opportunities for Western energy corporations and advancing the energy security requirements of Western Europe. It is a multilateral treaty, limited in scope to the energy sector (defined as coal, electrical energy, natural gas, petroleum and petroleum products, nuclear energy materials, fuel wood and charcoal). The ECT establishes obligations, in some cases binding and in other cases best efforts, relating to investment protection, trade, transit, competition and environment. At the time of publication of this book, the ECT had been signed by 49 countries, primarily in Europe and the former Soviet Union, plus the European Community, and awaits ratification by a total of 30 signatories before coming into full force and effect. The United States has not signed the ECT, and this fact is highlighted in the book as a major weakness of the ECT, particularly because most transnational energy corporations are headquartered in the United States.

The book is divided into 27 chapters, each written by a different author. Most of the authors are international law practitioners or academics from Europe and the United

States, although there are also chapters by several energy economists and one transnational energy corporation executive. The volume contains a foreword by Ruud Lubbers who, as Prime Minister of the Netherlands, first proposed to the European Council the initiative which ultimately led to the ECT. The editor, Thomas Wälde, provides a short preface to the book, as well as the most comprehensive examination of the ECT from an investor's perspective to be found in the book. The full text of the ECT and accompanying decisions and protocol are reproduced as appendices.

As Thomas Wälde indicates in his chapter on international investment under the ECT, the ECT is '... a complex instrument hermetically protected from easy access and understanding, and basically inaccessible to non-specialists'. The book's principal strength lies in its provision of expert analysis, often from different perspectives, of the historical context of the ECT, of the differing positions of key participants involved in negotiating the ECT, and of the most important provisions of the ECT. For the most part, the book is quite legalistic, more oriented to legal academics and international law policy analysts than to legal advisers or to executives of transnational energy corporations. In addition, there is a considerable amount of replication among the various chapters which detracts from the overall utility of the book. Its detailed index, however, will help the reader in mining the many interesting perspectives and insights contained in the book.

*Harvard Law School*

*James Bell*

Tuttle, William M., Jr. *'Daddy's Gone to War': The Second World War in the Lives of America's Children*. Oxford, New York: Oxford University Press, 1995.

During the 1996 American presidential campaign, much was made of the fact that Senator Robert Dole, the Republican candidate for President, was almost certainly the last veteran of the Second World War who would stand for the presidency. Although