LW451 INTERNATIONAL BUSINESS LAW: MODELS, PRINCIPLES AND TOOLS



1

Bradgate R, White F. Commercial law. Vol. Legal practice course guides. Oxford: Oxford University Press; 2005.

2.

Goode RM, McKendrick E. Goode on commercial law. 4th ed. London: LexisNexis; 2009.

3.

Goode RM. Transnational commercial law: primary materials. Oxford: Oxford University Press; 2007.

4.

Ramsay I. Consumer law and policy: text and materials on regulating consumer markets. Third edition. Oxford: Hart; 2012.

5.

Vogenauer S, Weatherill S, University of Oxford, dawsonera. The harmonisation of European contract law: implications for European private laws, business and legal practice [Internet]. Vol. Studies of the Oxford Institute of European and Comparative Law. Oxford: Hart; 2006. Available from:

https://ebookcentral.proquest.com/lib/universityofessex-ebooks/detail.action?docID=1772 719

Vogenauer S, Weatherill S. The harmonisation of European contract law: implications for European private laws, business and legal practice. Vol. Studies of the Oxford Institute of European and Comparative Law. Oxford: Hart; 2006.

7.

Chris W. General clauses and competing Ethics of European Consumer Law in the UK. The Cambridge Law Journal, Vol 71, No 2 (July 2012), pp 412-440 [Internet]. 2012;71(2):412-40. Available from:

https://journals.cambridge.org/action/displayAbstract? from Page=online & aid=8614537 & file Id=S0008197312000542

8.

Sale of Goods Act 1979 [Internet]. Available from: http://www.legislation.gov.uk/ukpga/1979/54/contents

9.

Consumer rights bill [Internet]. Available from: http://www.publications.parliament.uk/pa/bills/lbill/2014-2015/0029/15029.pdf

10.

Bar C von, Clive EM, Study Group on a European Civil Code, Research Group on the Existing EC Private Law. Principles, definitions and model rules of European private law: draft common frame of reference (DCFR). New York: Oxford University Press; 2010.

11.

Micklitz HW, Cafaggi F. European private law after the common frame of reference. Cheltenham: Edward Elgar; 2010.

12.

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on a Common European Sales Law COM 2011/0635 final [Internet]. Available from:

http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52011PC0635

13.

Hesselink M. The Case for a Common European Sales Law in an Age of Rising Nationalism. European review of contract law [Internet]. 2012;8(3):241–66. Available from: https://www.lexisnexis.com/uk/legal/docview/getDocForCuiReq?Ini=57HD-D9T1-DY0B-44C X&csi=374863&oc=00240&perma=true&elb=t

14.

Law Commission. An Optional Common European Sales Law: Advantages and Problems [Internet]. 2011. Available from:

http://lawcommission.justice.gov.uk/docs/Common_European_Sales_Law_Advice.pdf

15.

UNCITRAL. Convention on International Sale of Goods (CISG) [Internet]. 1980. Available from: http://www.uncitral.org/uncitral/en/uncitral texts/sale goods.html

16.

Barr C von, Clive E, Schulte-Nölke H. Principles, Definitions and Model Rules of European Private Law, Draft Common Frame of Reference (DCFR), [Internet]. Available from: http://ec.europa.eu/justice/policies/civil/docs/dcfr_outline_edition_en.pdf

17.

UNCITRAL. Convention on International Sale of Goods (CISG) [Internet]. 1980. Available from: http://www.uncitral.org/uncitral/en/uncitral texts/sale goods.html

18.

Sale of Goods Act 1979 [Internet]. Available from: http://www.legislation.gov.uk/ukpga/1979/54/contents

Consumer rights bill [Internet]. Available from: http://www.publications.parliament.uk/pa/bills/lbill/2014-2015/0029/15029.pdf

20.

Atiyah PS, Adams J, MacQueen HL, Atiyah PS. Chapter 13. In: Atiyah's Sale of goods. 12th ed. Harlow: Longman/Pearson; 2010.

21.

Willett C. Farah Y. Direct Protection of the Consumer's Performance Interest.

22.

Ramsay I. Pages 567-579. In: Consumer law and policy: text and materials on regulating consumer markets. Third edition. Oxford: Hart; 2012.

23.

Grundman S. The Fault Principle as the chameleon of Contract Law: A Market Function Approach. JSTOR: Michigan Law Review, Vol 107, No 8 (Jun, 2009), pp 1583-1599 [Internet]. 2009;1583-99. Available from: https://www.jstor.org/stable/40380345

24.

Willett C, Morgan-Taylor M. Consumer protection. In: Furmston MP, Chuah J, Willett C, editors. Commercial law. Second edition. Harlow, United Kingdom: Pearson Education Limited; 2013. p. 422–32.

25.

Department for Business, Innovation and Skills. Consolidation and Simplification of Consumer Law [Internet]. 2010. Available from: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/31838/10-1 255-consolidation-simplification-uk-consumer-law.pdf

Barr C von, Clive E, Schulte-Nölke H. Principles, Definitions and Model Rules of European Private Law, Draft Common Frame of Reference (DCFR), [Internet]. Available from: http://ec.europa.eu/justice/policies/civil/docs/dcfr outline edition en.pdf

27.

Consumer rights bill [Internet]. Available from: http://www.publications.parliament.uk/pa/bills/lbill/2014-2015/0029/15029.pdf

28.

Doc 6.

29.

Bradgate R, Department for Business, Innovation and Skills. Consumer Rights in Digital Products [Internet]. 2010. Available from: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/31837/10-1 125-consumer-rights-in-digital-products.pdf

30.

University of Amsterdam. Digital content contracts for consumers [Internet]. Available from:

http://ec.europa.eu/justice/consumer-marketing/files/legal_report_final_30_august_2011.pd f

31.

Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on a Common European Sales Law COM 2011/0635 final [Internet]. Available from: http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52011PC0635

32.

Consumer rights bill [Internet]. Available from: http://www.publications.parliament.uk/pa/bills/lbill/2014-2015/0029/15029.pdf

Wilhelmsson T, Willett C. Unfair Terms and Standard Form Contracts. In: Handbook of research on international consumer law. Cheltenham: Edward Elgar; 2010. p. 158–91.

34.

Unfair Contract Terms Act 1977 [Internet]. 1977. Available from: http://www.legislation.gov.uk/ukpga/1977/50

35.

The Unfair Terms in Consumer Contracts Regulations 1999/2083 [Internet]. 1999. Available from: http://www.legislation.gov.uk/uksi/1999/2083/contents/made

36.

Law Commission. Unfair Terms in Contracts LC no. 292 [Internet]. 2005. Available from: http://lawcommission.justice.gov.uk/docs/lc292 Unfair Terms In Contracts.pdf

37.

Law Commission. Unfair Terms in Consumer Contracts: a new approach? Issues Paper [Internet]. 2012. Available from: http://lawcommission.justice.gov.uk/docs/unfair terms in consumer contracts issues.pdf

38.

Law Commission. Unfair Terms in Consumer Contracts: Advice to the Department for Business, Innovation and Skills [Internet]. 2013. Available from: http://lawcommission.justice.gov.uk/docs/unfair_terms_in_consumer_contracts_advice.pdf

39.

Consumer rights bill [Internet]. Available from: http://www.publications.parliament.uk/pa/bills/lbill/2014-2015/0029/15029.pdf

Chris W. General clauses and competing Ethics of European Consumer Law in the UK. The Cambridge Law Journal, Vol 71, No 2 (July 2012), pp 412-440 [Internet].

2012;71(2):412-40. Available from:

https://journals.cambridge.org/action/displayAbstract? from Page=online & aid=8614537 & file Id=S0008197312000542

41.

DOC 7.

42

Buttigieg E. Competition law: safeguarding the consumer interest: a comparative analysis of US antitrust law and EC competition law. Vol. International competition law series. Alphen aan den Rijn: Kluwer Law International; 2009.

43.

Cseres KJ. Competition law and consumer protection. Vol. European monographs. The Hague, the Netherlands: Kluwer Law International; 2005.

44.

Monti G, dawsonera. EC competition law [Internet]. Vol. Law in context. Cambridge: Cambridge University Press; 2007. Available from: http://www.vlebooks.com/vleweb/product/openreader?id=essexacuk&accId=7572256&isb n=9780511556807

45.

Monti G. EC competition law. Vol. Law in context. Cambridge: Cambridge University Press; 2007.

Odudu O. The boundaries of EC competition law: the scope of Article 81. Vol. Oxford studies in European law. New York: Oxford University Press; 2006.

47.

Townley C, Intersentia, Hart. Article 81 EC and public policy [Internet]. Oxford: Hart Pub; 2009. Available from: https://portal.igpublish.com/iglibrary/search/HARTB0000552.html

48.

Townley C. Article 81 EC and public policy. Oxford: Hart; 2009.

49.

Whish R, Bailey D. Competition law. 7th ed. Oxford: Oxford University Press; 2012.

50.

Whish R, Bailey D, dawsonera. Competition law [Internet]. 7th ed. Oxford: Oxford University Press; 2012. Available from: https://ebookcentral.proquest.com/lib/universityofessex-ebooks/detail.action?docID=1591 394

51.

Ruggie J. Guiding Report of the Special Representative of the Secretary-General on the Issue of Human Rights and Transnational Corporations and Other Business Enterprises, Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework [Internet]. Vol. A/HRC/17/31. 2011. Available from: http://www.ohchr.org/documents/issues/business/a-hrc-17-31 aev.pdf

52.

OECD. OECD Guidelines for Multinational Enterprises [Internet]. OECD; 2011. Available from: http://www.oecd.org/daf/inv/mne/48004323.pdf

United Nations Global Compact - Participants and statkeholders [Internet]. Available from: http://www.unglobalcompact.org/ParticipantsAndStakeholders/un agencies/index.html

54.

Dima Jamali and Ramez Mirshak. Corporate Social Responsibility (CSR): Theory and Practice in a Developing Country Context. Journal of Business Ethics [Internet]. 2007;72(3):243–62. Available from: https://www.jstor.org/stable/25075377

55.

Zerk JA, dawsonera. Multinationals and corporate social responsibility: limitations and opportunities in international law [Internet]. Cambridge: Cambridge University Press; 2006. Available from:

http://www.vlebooks.com/vleweb/product/openreader?id=essexacuk&accId=7572256&isbn=9780511322921

56.

Zerk JA. Multinationals and corporate social responsibility: limitations and opportunities in international law. Vol. Cambridge studies in international and comparative law. Cambridge, UK: Cambridge University Press; 2006.

57.

Harper Ho V. '"Enlightened Shareholder Value": Corporate Governance Beyond the Shareholder-Stakeholder Divide. Journal of corporation law. 2010;36:59–112.

58

OECD Watch. OECD Watch - 10 Years On: Assessing the contribution of the OECD Guidelines for Multinational Enterprises to Responsible Business Conduct [Internet]. 2010. Available from:

http://oecdwatch.org/publications-en/Publication_3550/?searchterm=Assessing%20the%20 contribution%20of%20the%20OECD%20Guidelines%20for%20Multinational%20Enterprise s%20to%20Responsible%20Business%20Conduct

Deva S, Bilchitz D. Human rights obligations of business: beyond the corporate responsibility to respect? Cambridge: Cambridge University Press; 2013.

60.

International Commission of Jurists. Report of the ICJ Expert Legal Panel on Corporate Complicity in International Crimes | ICJ [Internet]. 2008. Available from: http://www.icj.org/report-of-the-international-commission-of-jurists-expert-legal-panel-on-comporate-complicity-in-international-crimes/

61.

Dhooge, Lucien J. Accessorial Liability of Transnational Corporations Pursuant to the Alien Tort Statute: The South African Apartheid Litigation and the Lessons of Central Bank. Transnational Law & Contemporary Problems [Internet]. 2009;18. Available from: $\frac{1}{2009} = \frac{1}{2009} = \frac{1}{$

62.

Joseph S, EBSCOhost ebook collection. Corporations and transnational human rights litigation [Internet]. Vol. Human rights law in perspective. Oxford [Eng.]: Hart Pub; 2004. Available from:

https://search.ebscohost.com/login.aspx?direct=true&db=nlebk&AN=216237

63.

Joseph S, Intersentia, Hart. Corporations and transnational human rights litigation [Internet]. Oxford: Hart Pub; 2004. Available from: https://portal.igpublish.com/iglibrary/search/HARTB0000229.html

64.

Joseph S. Corporations and transnational human rights litigation. Vol. Human rights law in perspective. Oxford: Hart Pub; 2004.

65.

Joseph S, EBSCOhost ebook collection. Corporations and transnational human rights

litigation [Internet]. Vol. Human rights law in perspective. Oxford [Eng.]: Hart Pub; 2004. Available from:

https://search.ebscohost.com/login.aspx?direct=true&db=nlebk&AN=216237

66.

Ku, Julian G. Curious Case of Corporate Liability under the Alien Tort Statute: A Flawed System of Judicial Lawmaking, The. Virginia Journal of International Law [Internet]. 2010;51. Available from:

 $https://he in online.org/HOL/Page?handle=he in.journals/vajint 51\&div=13\&g_sent=1\&collection=journals$

67.

Michalowski, Sabine. No Complicity Liability for Funding Gross Human Rights Violations. Berkeley Journal of International Law [Internet]. 2012;30. Available from: https://heinonline.org/HOL/Page?handle=hein.journals/berkjintlw30&div=16&g_sent=1&collection=journals

68.

Ramasastry, Anita. Corporate Complicity: From Nuremberg to Rangoon - An Examination of Forced Labor Cases and Their Impact on the Liability of Multinational Corporations. Berkeley Journal of International Law [Internet]. 2002;20. Available from: https://heinonline.org/HOL/Page?handle=hein.journals/berkjintlw20&div=10&g_sent=1&collection=iournals

69.

Ramsey, Michael D. International Law Limits on Investor Liability in Human Rights Litigation. Harvard International Law Journal [Internet]. 2009;50. Available from: https://heinonline.org/HOL/Page?handle=hein.journals/hilj50&div=11&g_sent=1&collection=journals

70.

Stephens B. Corporate Accountability: International Human Rights Litigation Against Corporations in US Courts. In: Liability of multinational corporations under international law. The Hague: Kluwer; 2000.

Protocol (No 26) on services of general interest - Consolidated version of the Treaty on European Union [Internet]. Available from: http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:12008M/PRO/26

72.

Treaty on the Functioning of the European Union (TFEU) Article 14; 106-108 [Internet]. Available from: http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:12012E/TXT

73.

Charter of Fundamental Rights of the European Union Article 36 [Internet]. 2012. Available from: http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:12012P/TXT

74.

Communication from the Commission on the application of the European Union State aid rules to compensation granted for the provision of services of general economic interest Text with EEA relevance [Internet]. Vol. C, Official journal. 2012. Available from: http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.C_.2012.008.01.0004.01.EN G

75.

COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS A Quality Framework for Services of General Interest in Europe [Internet]. Vol. COM (2011) 900 final. 2011. Available from:

http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1418725293900&uri=CELEX:52011DC 0900

76.

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - White Paper on services of general interest [Internet]. Vol. COM (2004)374 final. 2004. Available from:

http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1418725206109&uri=CELEX:52004DC 0374

Green paper on services of general interest [Internet]. Vol. COM/2003/0270 final. Available from:

http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1418725358364&uri=CELEX:52003DC 0270

78.

Case C-320/91 Criminal proceedings against Paul Corbeau [Internet]. Vol. I, European Court Reports. 1993. Available from:

http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1418725444427&uri=CELEX:61991CJ0 320

79.

Competition Appeal Tribunal. BetterCare Group Limited v Director General of Fair Trading [Internet]. Available from:

http://www.catribunal.org.uk/238-570/1006-2-1-01-BetterCare-Group-Limited.html

80.

Case C-280/00 Altmark Trans GmbH and Regierungspräsidium Magdeburg v Nahverkehrsgesellschaft Altmark GmbH, and Oberbundesanwalt beim Bundesverwaltungsgericht. [Internet]. Vols 2003-Section I, European Court Reports. Available from: http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62000CJ0280

81.

Case T-289/03 British United Provident Association Ltd (BUPA), BUPA Insurance Ltd and BUPA Ireland Ltd v Commission of the European Communities. [Internet]. Vol. 2008 Section II, European Court Reports. 2008. Available from:

http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1418733789430&uri=CELEX:62003TJ0.289

82.

Robin Barton. Social services of general interest: the case for greater harmonisation of

the competition and public procurement rules. European Law Review [Internet]. 2012;37(5). Available from:

http://login.westlaw.co.uk/maf/wluk/ext/app/document?docguid=I90DC48C1136011E2886FA474C1AE060E&crumb-action=reset&entityID=https://idp0.essex.ac.uk/shibboleth

83.

Bovis, Christopher. Financing Services of General Interest, Public Procurement and State Aid: The Delineation between Market Forces and Protection. Columbia Journal of European Law [Internet]. 2003;10(3). Available from:

https://heinonline.org/HOL/Page?handle=hein.journals/coljeul10&div=27&g_sent=1&collection=journals

84.

Natalia Fiedziuk. Services of general economic interest and the Treaty of Lisbon: opening doors to a whole new approach or maintaining the 'status quo'. European Law Review [Internet]. 2011;36(2). Available from:

http://login.westlaw.co.uk/maf/wluk/ext/app/document?docguid=IC0748BF264D511E09196 9D5E9C2DA2CA&crumb-action=reset&entityID=https%3A%2F%2Fidp0.essex.ac.uk%2Fshibboleth+

85.

Neergaard U. Services of General Economic Interest: The Nature of the Beast. In: The changing legal framework for services of general interest in Europe: between competition and solidarity. The Hague: T.M.C. Asser Press; 2009. p. 17–50.

86.

Prosser T. Competition Law and Public Services: From Single Market to Citizenship Rights. European Public law [Internet]. 2005;11(4):543-63. Available from: https://www.kluwerlawonline.com/document.php?id=EURO2005043

87.

Rott P, Willett C. Consumers and Services of General Interest. In: Handbook of research on international consumer law. Cheltenham: Edward Elgar; 2010.

Sauter W. The Altmark package mark II: new rules for state aid and the compensation of services of general economic interest. European Competition LAw Review [Internet]. 2012;33(7). Available from:

http://login.westlaw.co.uk/maf/wluk/ext/app/document?docguid=I36408750ACCC11E194D AA925A208E96E&crumb-action=reset&entityID=https%3A%2F%2Fidp0.essex.ac.uk%2Fshibboleth+

89.

Schweitzer H. Services of General Economic Interest: European Law's Impact on the Role of Markets and of Member States. In: Market integration and public services in the European Union. Oxford: Oxford University Press; 2011.

90.

Schweitzer H. Services of General Economic Interest: European Law's Impact on the Role of Markets and of Member States. In: Market integration and public services in the European Union [Internet]. Oxford: Oxford University Press; 2011. Available from: https://dx.doi.org/10.1093/acprof:oso/9780199607730.001.0001

91

Szyszczak E. Financing Services of General Economic Interest. Modern Law Review. 2004;67(6):982–92.

92.

Willett C. Chapter 16 - Social Justice in the Office of Fair Trading versus Commutative Justice in the. In: The many concepts of social justice in European private law. Cheltenham: Edward Elgar; 2011.

93.

Sands P, Peel J, Fabra Aguilar A, Mackenzie R. Chapter 4, 6, 14-15 and 20. In: Principles of international environmental law. 3rd ed. Cambridge: Cambridge University Press; 2012.

Birnie PW, Boyle AE, Redgwell C. Chapter 14. In: International law and the environment. 3rd ed. Oxford: Oxford University Press; 2009.

95.

Perry-Kessaris A. Chapter 17 Corporate Liability for Environmental Harm. In: Research handbook on international environmental law. Cheltenham: Edward Elgar; 2010.

96.

Perry-Kessaris A. Chapter 17 - Corporate Liability for Environmental Harm. In: Research handbook on international environmental law [Internet]. Cheltenham: Edward Elgar; 2010. Available from:

https://www.dawsonera.com/guard/protected/dawson.jsp?name=https://idp0.essex.ac.uk/shibboleth&dest=http://www.dawsonera.com/depp/reader/protected/external/AbstractView/S9781849807265

97.

Elias O. Chapter 11 - Environmental Impact Assessment. In: Research handbook on international environmental law [Internet]. Cheltenham: Edward Elgar; 2010. Available from:

https://www.dawsonera.com/guard/protected/dawson.jsp?name=https://idp0.essex.ac.uk/shibboleth&dest=http://www.dawsonera.com/depp/reader/protected/external/AbstractView/S9781849807265

98.

Elias O. Chapter 11 - Environmental Impact Assessment. In: Research handbook on international environmental law. Cheltenham: Edward Elgar; 2010.

99.

SERAC v Nigeria (on the exploitation of oil reserves in Ogoniland), ACHPR, 27 May 2002, Communication 155/96 [Internet]. Available from: http://www1.umn.edu/humanrts/africa/comcases/155-96.html

U.N. Framework on Business & Human Rights, U.N. Doc. A/HRC/8/5 [Internet]. Available from:

 $http://unbisnet.un.org:8080/ipac20/ipac.jsp?session=14G898142K1J6.12342\&profile=bib\&uri=link=3100006\sim!1205157\sim!3100001\sim!3100040\&aspect=alpha\&menu=search\&ri=2\&source=\sim!horizon\&term=A%2FHRC%2F8%2F5\&index=ZUNSYMA$

101.

U.N. Guiding Principles on Business & Human Rights, U.N. Doc. A/HRC/17/31 [Internet]. Available from:

 $http://unbisnet.un.org:8080/ipac20/ipac.jsp?session=14G898142K1J6.12342\&profile=bib\&uri=link=3100006\sim!1275044\sim!3100001\sim!3100040\&aspect=alpha\&menu=search\&ri=4\&source=\sim!horizon\&term=A%2FHRC%2F17%2F31\&index=ZUNSYMA$

102.

Equator Principles [Internet]. Available from: http://www.equator-principles.com

103.

Jochnik, Chris. Business and Human Rights Revitalized: A New UN Framework Meets Texaco in the Amazon. Suffolk Transnational Law Review [Internet]. 2010;33. Available from:

https://heinonline.org/HOL/Page?handle=hein.journals/sujtnlr33&div=24&g_sent=1&collection=journals

104.

Qara Zaghan Gold Project Contract, between Afghan Krystal Natural Resources Company and the Ministry of Mines of the Islamic Republic of Afghanistan [Internet]. Available from: http://mom.gov.af/Content/files/QaraZaghan-Contract-2.pdf

105.

Servais JM. International labour law. 3rd revised ed. Alphen aan den Rijin: Kluwer Law International; 2011.

Craig JDR, Lynk M, dawsonera. Globalization and the future of labour law [Internet]. Cambridge: Cambridge University Press; 2006. Available from: http://www.vlebooks.com/vleweb/product/openreader?id=essexacuk&accId=7572256&isb n=9780511314643

107.

Craig JDR, Lynk M. Globalization and the future of labour law. Cambridge: Cambridge University Press; 2006.

108.

Blanpain R, Baker J. Comparative labour law and industrial relations in industrialized market economies. 10th, rev. ed ed. Alphen aan den Rijn: Kluwer Law International; 2010.