



INTERNATIONAL TRADE LAW

Foundations And Perspectives Of International Trade Law

**Kern Alexander, Mads Tønnesson
Andenæs**



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Foundations and Perspectives of International Trade Law Ian F. Fletcher, Loukas A. Mistelis, Marise Cremona, 2001 This collection of specialist essays by leading practitioners and academics discusses 40 issues at the cutting edge of international trade law

The Rotterdam Rules and International Trade Law Ioanna Magklasi, 2018-09-03 This book offers an original academic study of the Rotterdam Rules It analyses the salient articles that will have an impact on international sale contracts governed by English law including the most popularly used international law instruments terms and standard sale contracts Looking beyond the legal relationship of carrier shipper and carrier receiver this book examines the important articles of the Rotterdam Rules that affect the ability of the trading protagonists to perform their sale contract

Management of International Trade Eun Sup Lee, 2013-01-03 Under the current multilateral trading system most business entities have turned their attention away from focusing exclusively on their domestic market to the management of international business transactions on the global market Around the world this trend has increased the demand for education and training on the principles of international trade and more practically the administration of international business transactions This book aims to give upper level undergraduates and graduate students a comprehensive understanding of the administrative and practical aspects of international commerce It seeks to provide students as the potential future practitioners of international trade with the ability to gather and administrate the information needed to decide on and manage complex international business transactions including in and outsourcing problems exports and imports

Law and Development Perspective on International Trade Law Yong-Shik Lee, Gary Horlick, Won-Mog Choi, Tomer Broude, 2011-07-25 Economic development is the most important agenda in the international trading system today as demonstrated by the Doha Development Agenda DDA adopted in the current multilateral trade negotiations of the World Trade Organization the Doha Round This book provides a relevant discussion of major international trade law issues from the perspective of development in the following areas general issues on international trade law and economic development and specific law and development issues in World Trade Organization Free Trade Agreement and regional initiatives This book offers an unparalleled breadth of coverage on the topic and diversity of authorship as seventeen leading scholars contribute chapters from nine major developed and developing countries including the United States Canada Japan China including Hong Kong South Korea Australia Singapore and Israel

The Global Anti-Money Laundering Regulatory Landscape in Less Developed Countries Norman Mugarura, 2016-03-09 Examining the challenges of using the global anti money laundering AML framework in an uneven global regulatory landscape this book discusses the difficulties of relating de regulation liberalization and conflict of laws to the dynamics of the market economy and demonstrates how the global environment engenders money laundering It suggests that corruption general systemic failure and lack of infrastructural capacity in some developing economies are hampering the implementation of laws and regulations Suggesting that these challenges can be overcome by designing AML regimes more

suited to developing economies within the prevailing global climate the book questions the assumption that that global regimes will be applicable and emphasises the need for more representation of developing economies on the relevant committees This book is the first of its kind to present the perspective of developing economies and their involvement in AML regimes and should be of interest to those involved in business and commercial law as well as comparative law *The World Trade Organization and Trade in Services* Kern Alexander,Mads Tønnesson Andenæs,2008 The World Trade Organisation plays the primary role in regulating international trade in goods services and intellectual property Traditionally international trade law and regulation has been analysed primarily from the trade in goods perspective Services are becoming an important competence for the WTO The institutional legal and regulatory influence of the General Agreement on Trade in Services GATS on domestic economic policymaking is attracting increasing attention in the academic and policymaking literature The growing importance of services trade to the global economy makes the application of the GATS to trade in services an important concern of international economic policy The GATS contains important innovations that build on the former GATT and existing WTO GATT trade regime for goods This book fills a void in the academic and policymaking literature by examining how the GATS governs international trade in services and its growing impact on the regulatory practice of WTO member states It offers a unique discussion of the major issues confronting WTO member states by analysing the GATS and related international trade issues from a variety of perspectives that include law political economy regulation and business Moreover the role of the WTO in promoting liberalised trade and economic development has come under serious strain because of the breakdown of the Doha Development Round negotiations The book analyses the issues in the Doha services debate with some suggested policy approaches that might help build a more durable GATS framework The book is a welcomed addition to the WTO literature and will serve as a point of reference for academics policymakers and practitioners *Commercial Law* Eric Baskind,Greg Osborne,Lee Roach,2013-05-30 Commercial Law is a fresh modern and stimulating discussion of this important subject This accessible and engaging text includes thorough coverage of all key aspects of the syllabus including the law of agency the sale of goods international trade and methods of payment finance and security *Soft Law in International Trade Finance* Agatha Brandão de Oliveira,Lauro Gama,Geneviève Saumier,2024-10-14 Expert contributors to this volume offer a comprehensive exploration of the UCP 600 s impact on international trade finance law examining the dynamic interplay between soft law and legal harmonization in 28 jurisdictions across all continents With a rich array of case studies and insightful analysis this book provides a nuanced interpretation of how soft law shapes global commerce Its diverse perspectives and practical insights make it essential reading for practitioners and scholars seeking a deeper understanding of the real world implications of soft law in trade *International Trade Relations of the European Union* Rafael Leal-Arcas,2022-09-29 This book examines the need for greater legal coherence within international trade negotiations between the European Union EU and external trade relations An introspective analysis of EU trade law and

policy is presented that highlights the complex issue of EU unity A particular focus is given to the Doha Round and the General Agreement on Trade in Services with empirical analysis placing the negotiations not just within the context of international trade law but also within broader social and political contexts This book aims to provide an interdisciplinary understanding of the EU s international trade negotiations It will be relevant to researchers and policy makers interested in international trade and EU law

Prospects in International Investment Law and Policy Roberto Echandi, Pierre Sauvé, World Trade Institute (Bern, Switzerland), 2013-04-18 Addresses the most central debates in contemporary investment law and policy

Regional Developmentalism through Law Jonathan Bashi Rudahindwa, 2018-05-20 Offering a study of regionalism in Africa and investigating the ways in which law can be used to address the issues raised by regional processes on the continent this book examines the African Economic Community considering that it has been entrusted to coordinate and to harmonize policies between various Regional Economic Communities RECs across the continent thereby influencing the continent s approach towards regional integration It seeks to identify how law can be used to strengthen the African RECs while ensuring that they achieve their goal of promoting regional development across the continent Drawing upon economic and political theories and using a critical doctrinal analysis of legal texts and norms the book uncovers the legal and economic underpinnings of the model of regional integration followed by the regional schemes operating under the banner of the AEC aiming to contribute to the search for effective methods to ensure the success of these various initiatives Proposing the concept of Regional Developmentalism Through Law as the most suitable conceptual framework to support the effective establishment of an African Economic Community this book will be of interest to researchers academics and policy makers interested in the correlation between law regional integration and development in Africa

Comparative International Commercial Arbitration Julian D. M. Lew, Loukas A. Mistelis, Stefan Michael Kröll, Stefan Kröll, 2003-01-01 This treatise describes the practice of international commercial arbitration with reference to the major international treaties and instruments arbitration rules and national laws It provides an analysis of the interaction between party autonomy and arbitration practice

The Interpretation and Uniformity of the UNCITRAL Model Law on International Commercial Arbitration Dean Lewis, 2016-03-22 Numerous jurisdictions worldwide have augmented their ratification of the New York Convention of 1958 with the UNCITRAL Model Law 1985 UML which takes a giant step forward toward global uniformity in legal application and understanding of the arbitration process This book develops a standard or benchmark for the UML objective of uniformity using the relevant legislation and case law of Hong Kong Singapore and Australia to consider whether a uniform approach to implementation of the UML and its interpretation is being achieved across those jurisdictions The author s methodological tools are eminently adaptable to other jurisdictions Given the importance of the ability to set aside an arbitral award the body of case law on setting aside and the directly related area of enforcement the emphasis throughout is on Article 34 In addition the study considers the meaning of uniformity in law and in the context of

the UML the correct approach to interpretation of the UML pre and post Article 2A the interpretational relationship between the UML and the Convention on Contracts for the International Sale of Goods CISG the relationship between the UML and the New York Convention the degree of textual uniformity of Article 34 with the three jurisdictions focused on and the degree of applied uniformity of Article 34 both in terms of juristic methodology and similarity of results The author with more than thirty years of practice in the field of commercial arbitration in Hong Kong has had access to voluminous cases spanning decades and brings his specialist expertise to the subject This book considers whether the UML has succeeded in its aim of achieving uniformity It serves as a guide both academic and practical to exploring and adopting the correct approach to the interpretation of the UML as well as to the method of classification of court decisions under the UML This study is of immeasurable academic and practical value

Non-State Rules in International Commercial Law Johanna

Hoekstra, 2021-03-15 Through further technological development and increased globalization conducting business abroad has become easier especially for Small and Medium Enterprises SME However the legal issues associated with international commerce have not lessened in complexity including the role of non state rules The book provides a comprehensive analysis of non state rules in international commercial contracts Non state rules have legal authority in the national and international sphere but the key question is how this legal authority can be understood and established To answer this question this book examines first what non state rules are and how their legal authority can be measured it then analyses how non state rules are applied in different scenarios including as the applicable law as a source of law or to interpret either the law or the contract Throughout this analysis three other important questions are also answered when can non state rules be applied when are they applied and how are they applied The book concludes with a framework and classification that leads to a deeper understanding of the legal authority of non state rules Providing a transnational perspective on this important topic this book will appeal to anyone researching international commercial law It will also be a valuable resource for arbitrators and anyone working in international commercial litigation

Conformity of Goods and Documents Djakhongir

Saidov, 2015-04-30 This book provides a detailed examination of the issue of conformity of goods and documents under the United Nations Convention on Contracts for the International Sale of Goods 1980 CISG This issue lies at the heart of sales law and is one of the most frequently litigated The book explores the Convention's requirements as to quality quantity description and packaging of the goods conformity the requirements flowing from the need for the goods to be free from rights or claims of third parties and the questions of what documents the seller must deliver to the buyer and what constitutes a good document under the CISG The book engages extensively with a substantial body of cases decided under the CISG and academic commentary It systematises the Convention's experience to date with a view to turning it into an integrated comprehensive and distinctive CISG legal regime on conformity of goods and documents The analysis is comparative and draws on the experience of some major domestic legal systems such as English and US law The focus is

both analytical and practical The book will be of interest to legal practitioners academic lawyers and students with an interest in international and comparative sales commercial and contract law Legislative Approximation and Application of EU Law in the Eastern Neighbourhood of the European Union Roman Petrov, Peter Van Elsuwege, 2014-02-24 This book explores the exportation and application of European Union legislation beyond EU borders It clarifies the means and instruments of the voluntary application of the EU s norms by third countries and analyses in detail the process of legislative approximation between the EU and its East European neighbours It also assesses the extent to which the EU is successful in promoting its legal standards abroad The first part of the book addresses the EU s mechanisms and instruments promoting the export of its own laws and practices to other countries Key issues include the post Lisbon constitutional basis for the EU s engagement with its Eastern neighbours Art 8 TEU the different methods of *acquis export* and the impact of a new generation of Association Agreements providing for the establishment of Deep and Comprehensive Free Trade Areas DCFTAs and ultimately a Neighbourhood Economic Community NEC between the EU and its Eastern partners The second part of the book includes substantive country reports that analyse the process of legislative approximation and application of EU law in the Eastern Partnership countries and Russia authored by leading academics from the countries concerned While currently these countries are not working towards full EU membership the EU encourages them to approximate and converge their legislation with the EU *acquis* The book also offers a unique picture of current practice of the application of EU law by judiciaries in the countries of the Eastern Partnership and Russia The book concludes with reflections on the multi faceted character of legislative approximation and the challenges surrounding the application of EU law in the EU s Eastern neighbourhood The conclusions reached are highly informative as to the effectiveness of present and future EU external regional policies aimed at the promotion of EU common values and EU legislation into the legal orders of third countries

UK Steel Industry & International Trade Sally R. Dabydeen, 2004 Part One of this work examines the UK steel industry within the European Community trade regulations to establish the UK s position in this area and to see how and if the UK steel industry might evolve Largely the work consists of a readable and sensible analysis of the primary information in case law and Statutes and Conventions and Trade Agreements in the context of world politics and world economics Part Two presents a realistic and comprehensive snapshot of the international trade situation with particular reference to the UK

Uniformity in the Application of the CISG Boris Praštal, 2020-04-06 More than ninety countries are now parties to the United Nations Convention on Contracts for the International Sale of Goods CISG recognised as the pre eminent legislative achievement aimed at harmonising commercial law on a global scale but uniformity in the treaty s application remains unsettled and controversial This book in addition to offering a detailed assessment of tools designed to promote such uniformity draws on issues raised during over thirty years of case law from all over the world and from other CISG related materials to clearly delineate a path to more uniform application The practical implications to be found in this book emerge

from deeply informed discussion of such issues and topics as the following causes of non uniformity whether based on overall scope or on particular CISG provisions detrimental effect of non uniformity on both the legal and economic benefits provided by the CISG effectiveness of implemented tools to combat non uniform application problems arising from trading imbalances between developed and developing countries and proposed efforts to promote uniform application Drawing on its many sources the analysis concludes with recommendations and observations about how to improve the organisation and mode of operation of existing and proposed tools Legal practitioners judges and arbitrators called upon to argue under or apply the CISG as well as all those with an interest in international commercial law will greatly appreciate the book s incisive guidance in navigating the issue of uniformity in the application of the treaty By extension as a comparative analysis the book will be of informative value for jurists and policymakers interested in what can be done to heighten the level of uniformity in the application of any international convention

The Politics of World Heritage David Harrison, Michael

Hitchcock, 2005-01-01 This collection of papers discuss World Trade Law and focus on the contested nature of World Heritage at sites as diverse as The Netherlands Ellis Island USA post colonial Mesoamerica Cambodia Fiji Kyrgyzstan and Vietnam In addition eight research notes explore heritage interpretation in the USA Lebanon Peru Indonesia Singapore Tasmania and India

Secured Credit and the Harmonisation of Law Gerard McCormack, 2011-01-01 This book will be of great interest to practitioners policymakers and academics as well as students particularly postgraduate students of law and business throughout the world

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