



Comprehensive Global Consulting Services

Commentaries and Insights from Allawos & Company

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“International Business Law? Know the Rules Before you Start!”

Michael Allawos, Principal Consultant



Every day, goods and services are being sold across national and international borders. And just as businesses in their home country are subjected to a myriad of laws, regulations, restrictions and special agreements, so are businesses in the international market.

In fact, international business law is considerably more complex than domestic laws. While international business laws are presumed to be embraced by the latter (under the

Doctrine of Incorporation adopted by most countries), there is a great possibility that a conflict would arise between the two laws.

International transactions are governed by such international business laws as unilateral measures (meaning nation or domestic laws), bilateral relationships (such as the Canada-United States Free Trade Agreement), multilateral arrangements (like the GATT and the WTO), and regional agreements (including NAFTA and MERCOSUR). The international businessmen and women need to arm themselves with some basic knowledge of these laws in order to conduct their business in foreign countries.

Below are some tips to help you conduct research on international business laws that may be relevant to your enterprise:

Relevant Treaties

Most international business laws are based on treaties. So the first step in researching relevant international business laws is to locate these treaties.



Many international organizations that focus on trade and international business transactions provide useful resources in addition to the full text of international agreements. Alternatively, you can also try searching U.S. governmental agencies that assist companies with import and export ventures such as the U.S. Department of State.

It is highly recommended to start with the Department of State when working abroad if you are in the United States. Most countries have the same equivalent. In the case of the U.S., there may be extraordinary issues such as trade embargos or importation bans / Anti-dumping that may involve the Department of the Treasury or the Commerce Department as an example. If in the U.S., you may fall under the authority and control of International Traffic in Arms Regulations (ITAR) even if you couldn't imagine an issue.

If you are unsure of the names of these governmental agencies or you don't know where to find their websites, you can start by consulting online guides that contain links to these sites. Pages that contain a list of links are particularly useful for someone who is very new to international business law.

Where to Find Full-Text of International Agreements

The information you will find from the resources given above are often very basic. Most of the time, they contain information on how one particular international business law is applied. If you want to get a copy of the full text of the international agreement on which the guide is based on, then you need to find sites that contain collections of the international business law provisions.

Here are some sites that you can start with:



Lex Mercatoria (www.Jus.UIO.no/lm/index.html)



Trade and Commercial Relations (www.WTO.org)



Texts of Trade Agreements (www.Sice.OAS.org/tradee.asp)



Trade and Related Agreements (www.trade.gov)



Private International Law Database (www.State.gov/s/l/index.cfm?id=3450)



UN Treaty Collection (<http://legal.un.org/ola/>)

Find Specific International Business Law Aside from the above resources, you can also narrow your search down to a specific trading agreement. There are many organizations or secretariats that keep

websites aimed at providing information on particular international business laws. Some of these sites are the following:



Andean Community (ComunidadAndina.org/endex.htm)



CARICOM (www.CARICOM.org)



European Free Trade Association (<http://www.efta.int/>)



The information listed above is for reference only and is not intended as legal advice. You should always seek out professional legal counsel for these matters.

About Allawos and Company, LLC

Allawos & Company is a comprehensive global business-consulting firm, tuned to enable organizations to identify and exploit opportunities through creative engagement built on a foundation of decades of senior management experience.

Whether in corporate development, strategic planning, alliances, market development, diplomatic engagement or manufacturing optimization, our team is focused on client-specific value creation.

Michael Allawos
President & CEO
Principal Consultant
California, USA

Larry Vertal
Senior Consultant
Corporate Development
California, USA

Ambassador Werner
Brandstetter
International Diplomat &
Strategist, Vienna

Albert van Rensburg
Senior Consultant
International Bus. Dev.
Guateng, South Africa

James Kohlhaas
Senior Consultant
Systems Integration
Washington DC, USA

Dennis Alfieri
Senior Consultant
Real Estate/Gov. Affairs
California, USA

Stephanie Jones
Senior Specialist
Employee Relations
California, USA

Jim Shivers
Senior Specialist
Water Treatment
California, USA

Magnus Caspar
Senior Consultant
Basel, Switzerland

Alex Kam
International Trade Specialist
China & Hong Kong

More information is available at
<http://www.allawosandcompany.com>
or by calling (626) 335-5015 or (626) 824-4546