

Introduction to International Business Law

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(A concise, structured overview for quick reference)

1. What Is International Business Law?

- **Definition** – The body of rules, treaties, conventions, and customary practices that govern commercial transactions crossing national borders.
 - **Scope** – Covers trade, investment, finance, intellectual property, dispute resolution, and regulatory compliance in a global context.
 - **Purpose** – Facilitates predictable, fair, and efficient cross-border commerce while balancing sovereign interests and public policy.
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2. Core Sources of International Business Law

Source	Description	Typical Instruments
Treaties & Conventions	Formal agreements between sovereign states.	WTO Agreements, CISG, New York Convention, BITs (Bilateral Investment Treaties).
Customary International Law	Practices accepted as legally binding despite lacking written form.	Principles of good faith, sovereign immunity, non-intervention.
Soft Law	Non-binding guidelines that influence behavior.	UNCTAD Model Rules, OECD Guidelines for Multinational Enterprises.
National Laws	Domestic statutes that apply to international activities (e.g., export controls, anti-bribery).	U.S. Foreign Corrupt Practices Act (FCPA), EU General Data Protection Regulation (GDPR).
Judicial Decisions & Arbitral Awards	Interpretations that shape the application of rules.	ICC, LCIA, and UNCITRAL arbitration awards.

3. Key Legal Areas

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3.1 International Trade Law

- **World Trade Organization (WTO)** – Governs trade in goods, services, and intellectual property.
- **Trade Agreements** – Regional (e.g., NAFTA/USMCA, EU Single Market) and bilateral free trade agreements (FTAs).
- **Customs & Tariffs** – Classification, valuation, origin rules; customs compliance.

3.2 International Investment Law

- **Foreign Direct Investment (FDI)** – Protection of investors through BITs and multilateral treaties.
- **Investor-State Dispute Settlement (ISDS)** – Arbitration mechanisms (ICSID, UNCITRAL) for disputes between investors and host states.
- **Expropriation & Compensation** – Standards for lawful taking of assets.

3.3 International Commercial Contracts

- **Uniform Commercial Code (UCC) vs. CISG** – Choice of law and governing statutes for sale of goods.
- **Choice of Law & Jurisdiction Clauses** – Selecting applicable legal system and forum.
- **Standard Forms** – Incoterms, UCP 600 (letters of credit), URC (bank guarantees).

3.4 Dispute Resolution

Method	Advantages	Typical Use
Arbitration	Confidential, enforceable under New York Convention, party autonomy.	Large commercial contracts, investment disputes.
Mediation	Low cost, preserves relationships.	Early stage conflicts, cross-cultural negotiations.
Litigation	Judicial precedent, public enforcement.	Matters involving public policy or regulatory enforcement.

3.5 Intellectual Property (IP) in a Global Context

- **International Treaties** – Paris Convention, Berne Convention, TRIPS Agreement.

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- **Protection Strategies** – Territorial filing, licensing, franchising, technology transfer agreements.

3.6 Compliance & Ethics

- **Anti-Corruption** – FCPA (U.S.), UK Bribery Act, OECD Anti-Bribery Convention.
- **Sanctions & Export Controls** – OFAC, EU