

# Introduction

Contracts are at the heart of all business transactions, be they oral or written. The increasing globalisation of business, aided by e-commerce, means that frequently contracts are negotiated and entered into across national boundaries. It is hoped that the development of more truly international businesses will facilitate ‘peace through world trade’<sup>1</sup>.

Successful business people in the new millennium need to be skilled international negotiators, and to have an understanding of the legal issues that underlie their business transactions. This Report deals with how to negotiate successfully internationally, and also aims to provide an overview of the commercial points to be considered as a result of the laws relating to pre-contract, private international law, resolving disputes (including alternative methods, such as mediation), competition law, drafting common clauses, and contracting electronically. It also looks in more detail at certain specific international commercial agreements, namely agency and distribution and licensing.

This Report is written at an exciting time for international commercial lawyers. The relatively recent changes to EC Competition law have made a significant impact upon parties’ freedom to contract commercially, generally giving them greater flexibility. In the field of e-commerce, the EC has issued a welter of laws that are in the course of being implemented into national laws. Proposals for further laws are also in the pipeline. The law is stated as at July 2002.

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Rebecca Attree, London, 2002

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<sup>1</sup> The motto of the Worshipful Company of World Traders