

Essential Business Guide to the Law of International Trade and Commercial Transactions BY APISITH JOHN SUTHAM [Hong Kong: Sweet & Maxwell Asia, 2004. xiv + 414 pp. Hardcover: HKD695/USD89]

In a refreshing and modern treatment of the subject, this book departs from the traditional British model of international trade that often focuses on the international sale and transport of goods, and examines instead “the regulatory structures of international trade as exemplified by WTO law”. It includes chapters on trade and non-trade regulations (e.g., WTO, regional and bilateral free trade agreements), trade strategies and remedies (e.g., dumping, subsidies and safeguards) and the role of trade barriers in international business (e.g., tariff and non-tariff measures, labour and environmental standards, and health and food safety measures). In these matters, the book may not have the depth of coverage that would satisfy a WTO specialist, but overall, it has the strength of going beyond specialized books on world trade law, as it includes a broader range of issues that are of interest to the international businessman such as intellectual property law, cross border distributorship and licensing, international joint ventures and foreign investment laws. It is a pity that other issues relevant to international business such as commercial arbitration and competition law are excluded, but this is understandable as selectiveness is necessary in a work of this broad nature, unless one is prepared to end up with a hefty and forbidding volume.

The layout of the book is reader-friendly, with various sub-topics signposted by clear headings, and tables which set out useful data, case studies, or business

implications. There are also 12 appendices taking up about half the book, containing material such as GATT and WTO provisions, and sample agreements. These include a detailed and wide-ranging appendix listing internet sources relating to the topics covered in the book, which should be useful for all readers and particularly welcomed by the specialist reader who desires more detailed information.

The author is a US-trained lawyer who previously worked in Brussels and is currently practising in Thailand, and readers will benefit from the practical perspective of someone who is experienced in international trade and commercial transactions. The author's mastery of trade law issues comes across most clearly in the chapter on trade strategies and remedies, where he addresses the typical businessperson's misconceptions as to how antidumping law actually works, and attempts to correct these misconceptions with practical examples of dumping calculation and detailed explanations as to what constitutes material injury to the domestic industry. This is an illuminating and interesting discussion that is worthy of a more specialized text on world trade law. On the other hand, in several other areas, the book does not provide more than basic information which can be found in any introductory text on the relevant topic, and in such cases, its saving grace is that it conveniently groups disparate information in a single volume and presents this in a manner that is easy to follow. Overall, the author has sought to add value by offering his own insights and using examples and case studies drawn from various countries, particularly Asian countries, which is a distinctive feature of the book.

In the words of the author, this book is "ambitious in scope", with the expressed aim of explaining and recommending practical solutions to "business readers who wish to understand and appreciate the legal and regulatory aspects of doing business internationally from varying perspectives, without being bogged down in minutiae legal analysis or jargon-filled specialization." (p. xiii) Of the three groups of readers at which the book is targeted, those likely to find it most useful would probably be non-lawyer business readers. Technically oriented readers such as general legal practitioners and in-house counsel, or readers who are specialists in one of the three main areas covered by the book (i.e., world trade law, intellectual property and commercial transactions) may consider the book less adequate for their needs, particularly if they are hoping to find an answer to a legal problem that has arisen in the course of their work. However, even for these readers, the book will be helpful in providing a good starting point and holistic introduction for their inquiry.

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