

The purpose of this paper research papers example

[Law](#), [Criminal Justice](#)



International Commercial Transaction

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The international commercial law governs all the international transactions. Since the curtains fell on the Second World, War, the volume of international trade has increased drastically. The extensive growth of the international commercial transactions resulted to the formation of the international commercial law. The International commercial law is composed of the both written and unwritten law. The unwritten international commercial law or *lex mercatoria* comprises of the most of the tenets of commercial law. International commercial law has played a vital role in the integration of world markets.

This paper will explore the regulations that govern the formation of the international contracts. Since the International sale of good's convention came into effect, most of the commercial transactions are governed by the principles of international commercial law. The paper will discuss the legal provisions of the United Nations conventions on Contracts for International Sale of Goods (CISG) and their impacts in international trade. The will also explore the functions of the World Trade Organizations in the international trade. World Trade Organizations provides the institutional framework for the contractual relations between willing parties. The conflict of rules between the international commercial law and private international law will also be discussed in detail. Finally, the paper will explore the antidumping regulations and countervailing measures that have been enacted by regional trade blocks.

Research questions

The paper will seek to answer the questions whether there is a body of international Investment law. To answer this question the paper will delve into the existing legal regimes of international commercial law. Several queries arise from the nature of the international commercial law such as the factors that a company has to take into consideration before investing abroad. What are some of the disadvantages of including the clauses of the CISG in the bilateral and unilateral agreements?

Theoretical framework

International trade has been around for centuries. Nations used engage in trade to acquire commodities that they missed in their home economies. The customary commercial law governs International trade. A major part of the commercial law is unwritten; Rex Marcatoria. Adam smith argued that nations engaged in international trade as a way of exercising the absolute advantage over each other. Absolute advantage is characterized by the superiority of the countries in terms of labor productivity. Globalization brought about economic dependency and was largely enabled by technology. The United States of America imports labors extensive goods from china to mitigate the cost of production. New entrants to the international commercial transactions are worried of the international fraud cases. International fraud causes the loss of cargo and other insurance expenses that accompany this risky business. An example of international fraud is the Salem case where tons of crude oil was lost through fraud.

Legal framework

The United Nations Convention on Contracts for the Sale of Goods forms the major part of the legal framework of international business transactions. The contract outlines the responsibilities of the seller and buyer. The convention also provides the remedies in the event of a breach of the contract. The Convention is interpreted in good faith and the matters that are not addressed by then Convention are handled under the General principles of CISG. The world Trade organization provides a forum for solving trade related disputes. WTO provides the institutional framework for the parties willing to become a party to a contract. WTO works to ensure the liberalization of trade via the removal of trade barriers. The regulations that have been set to govern international trade limit the chances of fraud in the course of international transactions.

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