

## **Book Review: Negotiating International Commercial Contracts - practical exercises**

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**Reviewer: Prof. Dr. Nayla Comair-Obeid**

Having an extensive experience in international contract negotiations, I am delighted to review the present book. It is the product of experienced practitioners who provide all the practical key tools for successful contract negotiations in international transactions.

The book is excellently well written in a very articulate style. The language used is very clear, sharp and straightforward. The practical approach coupled with the academic approach distinguishes this book and renders it accessible to all readerships who wish to have a first-hand knowledge in the specificities of contract negotiations.

The book is also unique with its structure. Each Chapter provides a summary of the learning objectives, followed by an explanation of the legal issue and supported by practical examples in the form of exercises. The practical examples are divided into three levels of difficulties (basic, intermediate and advanced) which satisfies the academic objective and at the same time are authentic and concrete examples. This is further supported by the very helpful appendix at the end of the book with sets out the guidelines to each one of the exercises.

Chapter 1 provides the flavor of contract negotiations and sets the scene for lawyers to get familiar with unfamiliar concepts followed by practical exercises. Chapter 2 then delves into the details of the negotiations of the choice of law clause with a special focus on the CISG and its importance as a neutral instrument. The authors also illustrate the differences in approach adopted by the courts and arbitral tribunals when faced with a foreign law. After discussing the choice of law, the book tackles the different methods of dispute resolutions and successfully explains the legal and negotiations strategies for contract choice of forum clause (local courts, arbitration, mediation) as well as the central issue of emergency and interim measures in Chapter 3. The discussions and well drafted exercises lead the reader to Chapter 4 which provides guidelines to avoid drafting defective choice of law and dispute resolution clauses. The set of exercises that follow provide further guidance on how to avoid pathological clauses. The final Chapter combines the learning points of the earlier chapters by "*putting it all together*" through exercises that help the reader understand the overall negotiation of a contract when different elements come into play such as the choice of law, dispute resolution clause, parties' relationship, subject matter etc.

In conclusion, this is a distinguished book and undoubtedly a useful source for anyone who deals with international contract negotiations. I also take this opportunity to congratulate the authors for a great contribution and impeccable academic work. I would recommend it both to fellow scholar-practitioners as well as to pure practitioners and academics with an interest in the subject.