

International Economic Development Law Series

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Emerging Financial Markets and Secured Transactions

Edited by

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Edward S. Cohen



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Dalhuisen on Transnational and Comparative Commercial, Financial and Trade Law Volume 5 Jan H

Dalhuisen,2022-06-16 presents a very different case that of a civilized and cultivated cosmopolitan legal scholar with a keen sense of international commercial and financial practice with an in depth grounding in both comparative legal history and comparative law combined with the ability to transcend conventional English black letter law description with critical judgment towards institutional wisdom and intellectual fashions International and Comparative Law Quarterly Volume 5 of this new edition uses the insights developed in Volumes 3 and 4 to deal with financial products and financial services the structure and operation of banking and of the capital markets and the role of modern commercial and investment banks Sections on products and services address the blockchain and its potential in the payment system in securitisations in the custodial holdings of investment securities and in the derivative markets The complete set in this magisterial work is made up of 6 volumes Used independently each volume allows the reader to delve into a particular topic Alternatively all volumes can be read together for a comprehensive overview of transnational comparative commercial financial and trade law

Banking and Debt Recovery in Emerging Markets Sonali Abeyratne,2019-06-04 This title was first published in 2001 A developing country that is pursuing free market economic policies requires a modern commercial law infrastructure which enables the emerging economy to have in place properly functioning credit and other financial systems which stimulate domestic and foreign investment This book provides a comparative analysis of the law and practice of debt recovery in India Sri Lanka and Malaysia demonstrating that a suitable debt recovery system for a developing economy requires not only good laws and judicial remedies but also appropriate financial industry practices such as credit and loan supervision policies

Dalhuisen on Transnational Comparative, Commercial, Financial and Trade Law Volume 3 Jan H

Dalhuisen,2014-07-18 This is the fifth edition of the leading work on transnational and comparative commercial and financial law covering a wide range of complex topics in the modern law of international commerce finance and trade As a guide for students and practitioners it has proven to be unrivalled Since the fourth edition the work has been divided into three volumes each of which can be used independently or as part of the complete work Volume one covers the roots and foundations of private law the different orientations and structure of civil and common law the concept forces and theoretical basis of the transnationalisation of the law in the professional sphere the autonomous sources of the new law merchant or modern lex mercatoria its largely finance driven impulses and its relationship to domestic public policy and public order requirements Volume two deals with transnational contract movable and intangible property law Volume three deals with financial products and financial services with the structure and operation of modern commercial and investment banks and with financial risk stability and regulation including the fall out from the recent financial crisis and regulatory responses in the US and Europe All three volumes may be purchased separately or as a single set From the reviews of previous editions

synthesizes and integrates diverse bodies of law into a coherent and accessible account remarkable in its scope and depth It stands alone in its field not only due to its comprehensive coverage but also its original methodology Although it appears to be a weighty tome in fact in light of its scope it is very concise While providing a wealth of intensely practical information its heart is highly conceptual and very ambitious likely to become a classic text in its field American Journal of Comparative Law Dalhuisen's style is relaxed what he writes convinces without the need for an excess of references to sources a highly valuable contribution to the legal literature It adopts a useful modern approach to teaching the young generation of lawyers how to deal with the increasing internationalisation of law It is also helpful to the practising lawyer and to legislators Uniform Law Review Revue de Droit Uniforme this is a big book with big themes and an author with the necessary experience to back them up Full of insights as to the theories that underlie the rules governing contract property and security it is an important contribution to the law of international commerce and finance Law Quarterly Review presents a very different case that of a civilized and cultivated cosmopolitan legal scholar with a keen sense of international commercial and financial practice with an in depth grounding in both comparative legal history and comparative law combined with the ability to transcend conventional English black letter law description with critical judgment towards institutional wisdom and intellectual fashions a wide ranging historically and comparatively very deep and comprehensive commentary but which is also very contemporary and forward looking on many or most of the issues relevant in modern transnational commercial contract and financial transactions International and Comparative Law Quarterly This title is included in Bloomsbury Professional's International Arbitration online service *Secured Credit in Europe* Teemu Juutilainen, 2018-03-22 Winner of the 2016 2018 KG Idman Prize This monograph seeks the optimal way to promote compatibility between systems of proprietary security rights in Europe focusing on security rights over tangible movables and receivables Based on comparative research it proposes how best to tackle cross border problems impeding trade and finance notably uncertainty of enforceability and unexpected loss of security rights It offers an extensive analysis of the academic literature of more recent years that has appeared in English German the Scandinavian languages and Finnish The author organises the concrete means of promoting compatibility into a centralised substantive approach a centralised conflicts approach a local conflicts approach and a local substantive approach The centralised approaches develop EU law and the local approaches Member State laws The substantive approaches unify or harmonise substantive law while the conflicts approaches rely on private international law The author proposes determining the optimal way to promote compatibility by objective based division of labour between the four approaches The objectives developed for that purpose are derived from the economic functions of security rights the conditions for legal evolution and a transnational conception of justice This book is an important contribution to the future of secured transactions law in Europe and more widely It will be of interest to academics policymakers and legal practitioners involved in this field **The Law and Business of International Project Finance**

Scott Hoffman,2024-05-06 **Secured Finance Law in China and Hong Kong** Mark Williams,Haitian Lu,Chin Aun Ong,2010-10-14 This book examines systematically the current systems of secured lending in China and Hong Kong where companies or individuals offer personal property as security for credit advanced by a lender Valid and enforceable security reduces the risk to the lender and so lowers the cost of credit to the borrower However the Hong Kong system being largely derived from English law is highly complex and in need of root and branch reform The forces of inaction have triumphed and valuable opportunities to create a modern rational and efficient system have been squandered In China on the other hand a completely new system has been created in the last twenty years which whilst it has various problems and defects has some notable advantages over the common law equivalent found in Hong Kong *Secured Credit and the Harmonisation of Law* Gerard McCormack,2011-01-01 This book will be of great interest to practitioners policymakers and academics as well as students particularly postgraduate students of law and business throughout the world **Availability of Credit and Secured Transactions in a Time of Crisis** N. Orkun Akseli,2013-12-12 In the light of the financial crisis it has become clear that the globalisation of financial markets has not been matched by the globalisation of legal certainty relating to financial transactions The ability to give security influences not only the cost of credit but also in some cases whether credit will be available at all Increasing the availability and lowering the cost of credit can make an important contribution to international and domestic economic development Assessing the international challenges posed by inefficient secured credit laws this book explores how these can be overcome to facilitate credit through legal reforms Leading authorities in the field address the key issues surrounding the availability of credit the role of banks in economic development and financial crises UNCITRAL's legislative efforts and international organisations and financial institutions and their involvement in the reform of secured transactions law Law and Legalization in Transnational Relations Christian Brüttsch,Dirk Lehmkuhl,2007-03-06 Complex legalization and the many moves to law Christian Britsch and Dirk Lehmkuhl Transnational legalization of accounting the case of international financial reporting standards Jens Wistemann and Sonja Kierzek The harmonization of private commercial law the case of secured finance Edward S Cohen Multi stakeholder initiatives to combat money laundering and bribery Mark Pieth Legalization transnationalism and organic agriculture William D Coleman and Austina J Reed Beyond Westphalia competitive legalization in emerging transnational regulatory systems Errol Meidinger Beyond legalization how global standards work Bas Arts and Dieter Kerwer International standards functions and links to law Erich Schanze Beyond legalization reading the increase variation and differentiation of legal and law like arrangements in international relations through world society theory Mathias Albert The role of the transnational corporation in the process of legalisation insights from economics and corporate social responsibility Andreas Georg Scherer and Dorothe Baumann *Power and Pluralism in International Law* Edward S. Cohen,2022-03-10 Demonstrating the crucial role that private international law and legality has played and continues to play in shaping globalization this book argues that the rules

institutions and actors that make up the practice of private international law have been critical in translating political and economic power into legal regimes that have facilitated the processes of globalization. These processes depend on two fundamental types of socio-political action: the legal structuring of emerging transnational spaces and flows of goods, capital and finance; and the legal-political reconfiguration of state power and priorities to facilitate the growth of these spaces and their penetration into national political, economic and social spaces. While a variety of processes were involved in these forms of action, the material practices of private international law played a central role in this project of political-economic reconstruction. Offering a theory of private international legality as a practice that intersects with and provides a vehicle for the mobilization of political and economic power, this book examines the construction and enrolment of private law expertise and the structural condition of pluralism in the global political economy to argue that private international law has helped construct a global political economy responsive to the priorities of powerful actors and resistant to the demands and interests of the rest of the world's populations. It will be of interest to academics and students exploring the relationship between law, international political economy and the nature of state power.

The Future of Commercial Law Orkun Akseli, John Linarelli, 2020-04-16. The reform of commercial law through harmonisation, unification, codification and other means remains one of the most important projects in developing the institutional architecture for the global economy. This edited collection engages with the challenges and contributes to a greater understanding of the problems faced by states, international organisations and private sector actors in this ongoing reform project for commercial law. The volume takes stock of the project to date and looks towards a restructuring of the agenda to deal with new challenges. The primary aim of the collection is to understand the future of commercial law reform in a way that offers ideas and strategies for innovation as well as in methodologies for project selection and evaluation. In so doing, the collection informs the debate on the global reform of commercial law and will be of interest not only to academics but also to those involved in the reform of commercial law around the world. The volume collects papers presented at the UK Society of Legal Scholars Annual Seminar 2017.

The Three Laws of International Investment Jeswald W. Salacuse, 2013-02-14. There are three legal frameworks applicable to international investments: the laws of the host state and the investor's country; the contract between the host state and the investor; and the rules of international investment law. This book assesses how these three bodies of law interact in investment agreements and dispute arbitration.

Global Lawmakers Susan Block-Lieb, Terence C. Halliday, 2017-10-26. Lawmaking by international organizations has enormous influence over world trade and national economies. This book explores who makes that law and how.

International Secured Transactions Law Orkun Akseli, 2011-03-17. This book focuses on international harmonisation and the law of secured transactions by distilling and analysing the unifying principles of various significant international conventions and instruments such as the UN Convention on the Assignment of Receivables, the Unidroit Convention on International Factoring, the EBRD Model Law on Secured Transactions, the Unidroit

Convention on the International Interests in Mobile Equipment and the UNCITRAL Legislative Guide on Secured Transactions International secured transactions conventions and instruments facilitate credit and promote economic activity through the creation of harmonised rules Therefore given the increasing globalisation of markets international reform efforts for the harmonised modernisation of secured transactions law have gained pace over recent years International Secured Transactions Law draws on experiences in both English and US laws in order to identify and illustrate the existing problems that need to be addressed as well as identify potential solutions International Secured Transactions Law will be of interest to scholars students interested in international commercial law corporate law or comparative secured transactions and practitioners involved in international commercial transactions Finance in Asia Qiao Liu,Paul Lejot,Douglas W. Arner,2013-03-12 Asia s demand for second generation financial institutions and markets needs to be met in order for the region s further development to be sustained This book provides a compelling fact based assessment of current practices and regulations in Asia s financial institutions and markets and carefully documents the exciting opportunities and challenges that lie ahead in the region s financial systems This book differs in design from typical treatments of financial institutions and markets because its focus is on Asia rather than using the US model in terms of market configurations or products as a benchmark and its takes a contemporary and forward looking view of financial markets Examples of practice from Asia are used to illustrate major accepted themes in finance and financial regulation To the extent that Asia s main economies share characteristics that are distinct for example in the relationship between government and the banking sector or in aspects of corporate governance the book will discuss the consequences for market operation and intermediation The book s carefully structured facts and rigorously argued analysis carry important implications both for students in business and law and for professionals new to financial markets in Asia It will change the way that Asian financial markets and institutions is taught in universities as well as provide a valuable resource for professionals working in finance in Asia SME Policy Index: Eastern Partner Countries 2024 Building Resilience in Challenging Times OECD,European Bank for Reconstruction and Development,2023-12-13 The SME Policy Index Eastern Partner Countries 2024 Building resilience in challenging times is a unique benchmarking tool to assess and monitor progress in the design and implementation of SME policies against EU and international best practice **Global Financial Development Report 2014** World Bank Group,2013-11-07 The second issue in a new series Global Financial Development Report 2014 takes a step back and re examines financial inclusion from the perspective of new global datasets and new evidence It builds on a critical mass of new research and operational work produced by World Bank Group staff as well as outside researchers and contributors **International Trade, Foreign Direct Investment and the Economic Environment** P.K.M. Tharakan,D. Van Den Bulcke,2016-07-27 This book sees a distinguished host of economists tackle the most important and topical issues around international trade and direct investment There is broad coverage of the changing global map of international trade and investment with coverage of

NAFTA the European Union European transition economies and developments in Asia Latin America and China

Commercial Law in East Asia Roman Tomasic, 2017-07-05 The shift of economic gravity towards East Asia requires a critical examination of law's role in the Asian Century This volume explores the diverse scholarly perspectives on law's role in the economic rise of East Asia and moves from general debates such as whether law enjoys primacy over culture state intervention or free markets in East Asian capitalism to specific case studies looking at the nature of law in East Asian negotiations contracts trade policy and corporate governance The collection of articles exposes the clefs and cleavages in the scholarly literature explaining law's form function and future in the Asian Century **World Development Report**

2022 World Bank, 2022-06-13 The COVID 19 pandemic triggered the largest global economic crisis in more than a century In 2020 economic activity contracted in 90 percent of countries the world economy shrank by about 3 percent and global poverty increased for the first time in a generation Governments responded rapidly with fiscal monetary and financial policies that alleviated the worst immediate economic impacts of the crisis Yet the world must still contend with the significant longer term financial and economic risks caused by or exacerbated by the pandemic and the government responses needed to mitigate its effects World Development Report 2022 Finance for an Equitable Recovery examines the central role of finance in the economic recovery from COVID 19 Based on an in depth look at the consequences of the crisis most likely to affect low and middle income economies it advocates a set of policies and measures to mitigate the interconnected economic risks stemming from the pandemic risks that may become more acute as stimulus measures are withdrawn at both the domestic and global levels Those policies include the efficient and transparent management of nonperforming loans to mitigate threats to financial stability insolvency reforms to allow for the orderly reduction of unsustainable debts innovations in risk management and lending models to ensure continued access to credit for households and businesses and improvements in sovereign debt management to preserve the ability of governments to support an equitable recovery

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