



Drafting and Negotiating International Commercial Contracts (ICC)



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Introduction:

This highly interactive drafting and negotiating international commercial contracts ICC training seminar focuses on how your organization can minimize its risk exposure, reduce costs, and reduce the potential for disputes by discussing the key aspects of understanding, drafting, and negotiating international commercial contracts.

This drafting and negotiating international commercial contracts ICC course identifies how clear and concise drafting can produce greater organizational efficiencies. It also features monitoring and managing performance failures. It provides tools, tips, and techniques for resolving disputes to minimize your organization's cost and reputational risk exposure.

Skilled negotiators can help minimize risk, increase profit for your organization, and set the foundation for long and mutually beneficial relationships. This drafting and negotiating international commercial contracts ICC training course provides practical guidance and key strategies and techniques to appreciably enhance your ability to negotiate more favorable contracts and better negotiate solutions to disputes that may arise.

Defining International Commercial Contracts:

Before delving into the drafting and negotiation aspects, it is essential to define international commercial contracts. These agreements are key to global trade, and their complexity requires an advanced understanding of different legal systems, choice of law, and the principles of international commercial contracts. Participants will gain insight into the overarching legal frameworks that govern such contracts and the importance of choosing the correct jurisdiction.

An important aspect of drafting and negotiating international commercial contracts is understanding and selecting the applicable choice of law. Participants will explore the complexity of this choice and how it affects contract enforcement and interpretation. We will delve into the principles of choice of law in international commercial contracts and the impact of these decisions on legal proceedings.

Targeted Groups:

- Project and General Management.
- Contract administrators, managers, and claims handlers.
- Procurement and purchasing staff.
- Engineering, operational, and maintenance personnel.
- Commercial, financial, and insurance professionals.

Course Objectives:

By the end of this drafting and negotiating international commercial contracts ICC course, the participants will be able to:

- Evaluate the most appropriate contracting strategy.
- Assess and manage key contractual risks.
- Identify and avoid drafting pitfalls.
- Compare ways of dealing with performance failures.
- Negotiate deals, contracts, and disputes successfully.
- Understand how contracts can be used to manage risk.
- Recognize the use of different contracting strategies.
- Learn the ways of dealing with performance failures.
- Learn strategies, tools, and techniques for effective negotiation.
- Manage claims and resolve disputes.

Targeted Competencies:

At the end of this drafting and negotiating international commercial contracts ICC training, the participant's competencies will be able to improve:

- Broaden the knowledge of a variety of contracting strategies.
- Extend the understanding of key risk areas and their management.
- Improve the knowledge of contract formation and proper drafting.
- Develop the knowledge of monitoring and managing performance failures.
- Enhance strategic negotiation skills.
- Boost confidence in dealing with potential disputes.

Course Content:

Unit 1: Function, Formation, and Validity of Contracts:

- Key Principles.
- Choosing the Right Strategy.
- Structure, Format, and Incorporation of Documents.
- Language, Words, and Phrases.
- How to Avoid Drafting Pitfalls?
- Use of International Standard Forms.

Unit 2: Main Contract Clauses:

- Delivery, Performance, and Acceptance.
- Title and Risk.
- Programming and Completion.
- Changes and Variations.
- Price and Payment Terms.
- Security and Withholding Rights.

Unit 3: Other Key Clauses:

- Force Majeure.
- Intellectual Property Rights.
- Indemnities and Insurance.
- Bonds, Guarantees, Warranties.
- Remedies for Default.
- Damages and Limits/Exclusions of Liability.

Unit 4: The Role of Negotiation:

- What Is It - Why Use It?
- Characteristics of a Good Negotiator.
- Negotiation Strategies.
- Key Stages of Negotiation.
- Tools and Techniques.
- Negotiation in Practice.

Unit 5: Dispute Management:

- Choice of Law, Forum, and Jurisdiction.
- Contractual Management of Disputes.
- Alternative Dispute Management Strategies.
- Litigation or Arbitration?
- Enforcement Measures.

Conclusion:

This ICC training course is essential for any professional involved in international commercial transactions. The focus on drafting and negotiating international commercial contracts, understanding their nuances, and managing the associated risks equips participants with the necessary skills to protect their organizations and ensure successful outcomes in their global trade dealings.