EDITORIAL

Jeffrey L. Snyder*

With this issue, Edwin Vermulst will shift from General Editor to a member of the Editorial Board. The publication owes a debt of gratitude to Edwin for his skill, good nature, and energy. Edwin has brought first rate authors and important topics to this audience. Thank you Edwin, I look forward to your steady hand of guidance from the Editorial Board for many years to come. I would also like to thank all of the authors who have contributed content and will continue to do so in the future.

As we begin a new decade, the old clichés may be clichés, but they remain true nonetheless. The world is getting smaller, and time flies. Globalization drives business to be better, smarter, and faster. To do more with less, and to do it safely, complicates compliance. Despite the pace and power of globalization, national borders are not fading away. In fact, borders and national measures are increasing. Exacerbated by preferential trading arrangements, international business faces an array of obstacles to compliance, let alone saving money and perhaps gaining the advantage that comes from mastering the complexity.

There are many who have it figured out, or at least are a few steps ahead. They may have had to deal with the issue before you do, or they may have seen it coming earlier. They have solutions, or at least they have developed coping mechanisms. These are sources we hope to bring to you.

International trade and customs compliance is a multi-disciplinary exercise. The 'menu' of skills and issues needed today cross categories, and include:

- Customs Perhaps the most challenging of the disciplines, if only because of the pressure to deliver just in time, comply, save money, and be secure all at the same time. Inevitably something must give and it cannot be security. The biggest issues facing companies are often in the Customs area. Because they go to the heart of many operations, supply chains are lifelines. Keeping them healthy and moving requires skills and foresight. Knowledge, not luck, matters.
- Export Controls A discipline that if done right rarely saves money; it more often costs sales.

- Nonetheless, many cancelled transactions are needlessly cancelled; understanding the rules not only catches some improper transactions, it can free up those incorrectly stopped. The idea, voiced almost twenty years ago with the fall of the Soviet Union, that export controls were a thing of the past, has proven wildly inaccurate. Export controls, like national borders, show no sign of weakening. Their use by governments and their reach have only grown.
- Sanctions Often viewed as part of export controls, sanctions and embargoes are indeed converging in some ways. This convergence is only partial, however, and the complexity of the 'list-based' sanctions programmes now in place not only in the United States but in many countries. As the financial measure of choice to battle terrorism and other scourges, compliance and risk management talents are at a premium.
- World Trade Organization (WTO) As the Doha Round continues to stall, trade liberalization is taking other paths, including Free Trade Agreements (FTAs). The continued vitality of the WTO dispute process is demonstrated in its value as a source of rules for governments. Good business requires understanding and managing the impact of decisions about how governments regulate international trade.
- Antidumping and Trade Remedies Trade remedy actions remain unpredictable and severe obstacles to international trade. The persistence of antidumping measures and the growth in the use of countervailing measures and safeguards reflect a climate of continued national competition that creates additional compliance management challenges.
- Anticorruption The proliferation of anticorruption laws has begun to multi-lateralize the restrictions on bribery of government officials, but it has also increased the variance in their implementation and interpretation.
- Investment Regulation Whether through national restrictions such as the US Exon-Florio law, or the Canadian counterpart, or even China's new law, or

Note

* Crowell & Moring, Washington, DC.

under the growing network of Bilateral Investment Treaties, trade and investment go hand in hand and these issues will continue to drive international business decision-making.

The Global Trade and Customs Journal is a source for practical treatment of these issues, providing guidance based on experience and knowledge.

As you will see over the next few issues, we have embarked on an initiative to include some new features, including a focus on cross-border and multi-jurisdictional compliance issues, interviews with practitioners and others who wrestle with these issues, and other contributions that are designed to deliver a useful and timely package of information. In this age of what often seems to be too much information, we aim to provide a selection that is relevant to practitioners around the globe.

One final note, we cannot do it without you. We need your guidance and direction. We look forward to hearing from you.