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Preface

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Preface

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Preface

The essays published in this collection were contributed by the participants in a conference of American and Soviet legal scholars and practitioners, which took place in New York January 7-11, 1974. The conference was organized as the first of a series by the American Society of International Law and the Institute of State and Law of the Academy of Sciences of the U.S.S.R. It seemed appropriate that the series should open with a discussion of legal aspects of trade between the United States and the Soviet Union.

International trade has several different aspects. It presents itself first in its economic aspect; the fundamental trends, volume, conditions, and prospects of trade relations between countries reflect their various economic interests in an efficient division of labor, in specialization and cooperation of different sectors of the economy, and in the raising of the standard of living and prosperity of their populations.

No less important is the political aspect of trade relations. International trade cannot be severed from international politics. Political relations between states not only can promote the development of economic ties, but also can prevent such development. The conference for which these essays were prepared was organized in the belief that the improvement of political relations between the United States and the U.S.S.R., resulting from the conclusion of a series of important political agreements between the two countries in 1972 and 1973, will undoubtedly promote the further development of Soviet-American trade. At the same time, international trade, by strengthening business contacts between countries, affects their political relations. In particular, it can help to create a firm basis for the realization of the principle of peaceful coexistence of states of different socio-political systems.

Finally, the economics and politics of Soviet-American trade influence, and are also influenced by, the legal institutions—that is, the legal concepts, rules, and procedures—through which trade is carried out. It is with these legal institutions that the reports of the Soviet and American lawyers in this collection are mainly concerned. Legal principles of nondiscrimination and most-favored-nation treatment, rules of contract law relating to delivery of goods and methods of payment, procedures for the settlement of possible disputes, the legal status of state trading organizations and private firms participating in trade transactions—these and many other matters of a legal nature have great significance for the development of international trade relations. Accordingly, there has arisen an urgent need for a thorough knowledge of the legal systems and the legislation of countries which

engage in trade with each other, and for a deep understanding of the principles and concepts by which the legal thought of those countries is governed.

We believe that the New York conference of January 7-11, 1974, helped to foster mutual understanding of these matters among the American and Soviet participants. We hope that the publication of their reports, and of a summary of their discussion, will have a similar value for all persons who are interested in the further development of trade relations between our two countries.

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