

BUCHBESPRECHUNGEN

Dennis Campbell (ed.)

Legal Aspects of Doing Business in Africa

International Business Series, Volume 4

Kluwer Law and Taxation Publishers, Deventer; West Publ. Co., St. Paul, Minn., 1986, 240 pp., US-\$ 87.—

Given the difficulties involved, the establishment of the liberal trading system after World War II was more successful than might reasonably have been expected. It is clear that the participants, both individuals and governments, have very distinct objectives and purposes.¹ African states, especially, have repeatedly committed themselves to active participation in the elaboration of framework and rules of international trade.²

Volume 4 of the edition deals with special problems of business practices in Africa. After having introduced to the situation in general the book lightens the legal aspects of doing business in Bhoputhatswana, Ghana, Ivory Coast, Kenya, Nigeria, Senegal, South Africa, Tanzania and Zimbabwe (the former Rhodesia).

The introduction by *Ronald Bedrick* refers explicit to »business-men and their professional advisors who are interested in transacting business«. Bedrick shows the difficulties of business activities in Africa, supported by statistical data comparing the countries mentioned above with the world's leading industrialized countries – United States of America, Japan, Federal Republic of Germany – and Sweden. Bedrick goes on to discuss the development aid and special help to businessmen which are given by the *Worldbank* and its sub-organisations as there are International Development Association (IDA) and International Finance Corporation (IFC). The activities of the African Development Bank, the United Nations Development Program and, last but not least, the *OECD* are explained, too, as well as areas of cooperation between the European Economic Community and sixty-five African, Caribbean and Pacific (ACP-) countries, so called *Lomé-III-Convention*, signed on December 8, 1984.³ This convention, as a matter of fact, does not include Bhoputhatswana and South Africa as parties of contract.

1 See, for example, *A. Koekkoek/J. de Leeuw*, »The Applicability of GATT to International Trade in Services: General Consideration and the Interest of Developing Countries«, *The Swiss Review of International Economic Relations*, April 1987, p. 65 et seq.

2 See *W. Benedek*, »The Participation of Africa in the General Agreement on Tariffs and Trade«, in this *Quarterly*, 1987, p. 45 et seq.

3 Publ. special issue of *The Courier*, No. 89, January/February 1985; see also latest *M. Wolf*, »The European Community and Developing Countries in the International Trading System«, *The Swiss Review of International Economic Relations*, April 1987, p. 41 et seq.

This description is followed by a brief consideration of principles of the convention's trade policy focussing aspects of desire discriminate, namely, preferences as a tool for foreign policy, taxation- and customs-agreements.

Finally Bedrick anticipates the conclusion: the countries mentioned above did not overcome economic difficulties since 1985. Problems are still marching on and a solution of economic crisis depends on the fragility of the international trading system as well as on a relaunch of economic policy by the developing countries itself. As far as payment of imported goods is concerned, however, the problems are similar for all African developing countries in that they try to avoid in hard currency which they lack. Altogether the reader is shown the world-wide aspects of economic integration, interdependence and the required stability of international market access.

The appendix completes these advices with tips on accomodation addresses in the respective countries which should help to use the business opportunities in a practicable way.

The description of circumstances in each country refers to local situation, especially history, geographical context, political system, administration, infra-structure, taxation etc.; accomodation addresses are available, too.

The crew of authors – resident lawyers and administration-specialists – lay down facts and figures of the economic situation on the spot to facilitate economic relations with the countries of Africa. By the way, the authors do not refer to the legal aspects of the so called »New International Economic Order«, which is especially treated by the developing countries. The idea of this NIEO has just expected to overcome the third world's debt crisis and to help reaching the stability of international trade demanded by Bedrick and others.

Neither the Codes of Conduct – which are created to overcome irresponsible investment policy by multinational enterprises – nor the discussion of international scale about putting an embargo on South Africa are mentioned. In case of South Africa you'll find a reason in *John Simon's* residential status as a South African lawyer. On the opposite, for a responsible investigator it would have been much more helpful to read, for example, something about the Resolution No. 418 of the United Nations Security Council.⁴

All in all: This book fills a huge gap in former literature helping to advice lawyers, business-men and others. It will be certainly helpful for all those who are interested in trading practices. The reader must not expect a comprehensive show-down of all legal aspects of African economy.

Niels Lau

4 Publ. *Resolutions and Decisions of the Security Council*, Official Records, 32nd Year (1977), p. 5.