

□ Whenever a foreign investor goes to a new country, he is justly concerned with his rights and liabilities under the Law. These concerns are about what remedies will be have whenever there is a breach by the other party, or his liabilities if he breaches the terms of his business transactions?

The Legal Framework of the Practical Settlement of Disputes in the Union of Myanmar

□ Most economists envisage that the next century will be the century of Asia. It is envisioned that Asia would undergo a dynamic economic growth. Myanmar's economic and political situation is stable and this will enhance the opportunities of economic growth.

A Perspective of The Legal Framework of Economic and Investment Law in the Union of Myanmar

□ History has proved that new ideas are required to keep in line with a changing structure of the human society. In the same way, new concepts must be born to suit the changing structure of International Law and International Relations. The Liberal School has created a new concept. This creation is indeed an invention for the advancement of International Law, International Relations and the international community as a whole.

The Modern Concept of Custom in International Law



□ It can be seen that many of the principles of the Myanmar Legal System and in particular the Commercial and Corporate Laws are based upon the principles of the Common Law Legal System and thus belonging to the Common Law Legal Family.

Business Laws of Myanmar

□ Whenever a foreign investor comes into a country to invest, one of the queries that he might possibly make is that: Is the legal framework of the host country transparent? The answer lies in a couple of points that commercial lawyers might ask to remove any doubt.

The Transparency of the Economic Legal Framework of Myanmar

□ The concept of the rule of law emphasizes the necessity of establishing a rule based society in the interest of legal certainty and predictability. The principle of legal certainty also contains independence, impartiality, integrity, propriety, equality, competence and diligence. The rule of law will provide stability and propriety for the community. To have these two pillars of stability and propriety the rule of law is the cornerstone.

The concept of the rule of law

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FOREWORD

Since my return from England and Belgium more than thirty years ago after completion of advanced legal studies in Public International Law, International Economic Law, Business Law, Law of International Institutions, Law of Trade, Civil Litigation, Company Law, Law of Contract and Corporate Law, I have written articles on these subjects with the ambition to contribute for the benefit of various Legal/Business Scholars and Professionals, rather in a small way.

I have endeavoured in writing these articles to throw light on both the practical and academic aspects. When I was doing research on International Economic Law and Business Law for my Doctoral Thesis at Ghent University, Belgium under the Promotorship (supervision) of the late Professor Dr. E.R.C Van Bogaert LL.D (Ghent, Belgium), Professor of International Law Seminarie Voor Volkenrech (Department of International Law) Faculty of Law, State University of Ghent, the Kingdom of Belgium, I remember the wise words of my promoter that one

is never to lose sight of both academics and practicality. Thus, using my experience as a trial Advocate of the Supreme Court and Ad Hoc Public Prosecutor in Myanmar which I was, prior to my advanced legal studies in England and Europe and together with experience in different legal areas thereafter, I have written these articles.

The collection of these articles were written in my private capacity for different Journals and Magazines both in Myanmar and overseas between the years from 1979 to 2012 on as is and where is basis. Some legal aspects and situations are apt only to the period they were written and in certain cases situations have been overtaken by legal events and circumstances. However, the basic ideas of law remain the same. I appeal to the understanding of the reader to read them in accordance with the period of writing and supplement them with current legal aspects.

I never intended to publish them as a collection. But one day my pupil and one of my old law officers U Maung Maung of Wisdom House dropped in at my Nay Pyi Taw Office and in fact he persuaded me to publish them as a collection for the sharing of knowledge especially with the young legal scholars and practitioners as Myanmar ventures into the times of a new legal arena coupled with a new market economy system under our 2008 Constitution. I sincerely pray that this objective will be fulfilled, though I must admit in all humanity that this is done in a minute way. I do hope that readers will enjoy reading them as much as I have enjoyed writing them.

Dr. Tun Shin
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Part 1 BUSINESS

Whenever an investor is tuned to invest in a foreign strand, he always asks himself the vital question, why invest in this country? It is a question that is very pertinently asked by investors whenever they go into a venture.

Why Invest in Myanmar?

It is in the night time that great men work while others sleep. They do not become great and knowledgeable without industry. In the same way, people who are involved in business need to toil while others sleep so that greatness and success will be theirs when the time for endurance ends.

The Financial / Economic Crisis: A Time to be Optimistic for the future

Every morning, when one reads the newspapers one finds the escalating tempo of international conflicts, clashes and crisis. We find our hearts sad and our minds pessimistic for our fellow human beings who are torn by hardship, famine, pain and death in troubled parts of the world. We exclaim, "What is International Law doing? Is it still effective as it claims to be? Is it obsolete?"

The Present-Day Status of International Law

