

OVERSEAS PRIVATE INVESTMENT CORPORATION

WASHINGTON, D.C. 20527, USA



OFFICE OF THE
PRESIDENT

Dear Virginia State Bar Members,

I would like to congratulate the *Virginia Lawyer* and the Virginia State Bar on its tenth dedicated issue on global trade law. Special congratulations are owed to Dr. Stuart Malawer of George Mason University, who has served as special editor throughout this historic period, and to the International Practice Section that had the foresight to sponsor this undertaking. It is no accident that the *Virginia Lawyer* continues its focus on this vital subject, given the ongoing strategic importance of global trade and investment to the economic strength and vitality of the Commonwealth. The authors of this issue are all seasoned international business and trade experts. They understand that global enterprises are best understood as being grounded in local economies. They are best viewed as being multi-domestic, rather than multi-national. Such firms are strongly integrated into the Commonwealth's economic fabric. They provide a bridge between Virginia and the global economy and result in greater prosperity for all Virginians.

It was a personal pleasure over many years to see Virginia become so integrated into the global marketplace. Virginia owes great thanks to Governor Gerald L. Baliles for moving Virginia, during his term in office and throughout his professional career, to participate vigorously in the global economy. This development was reinforced and supported by such academic programs as George Mason University's cutting-edge graduate International Transactions Program (now renamed the International Commerce Program). Dr. Stuart Malawer, created that degree and was the force behind its much-acclaimed global trade program held annually at St. Peter's College, Oxford University, and Geneva, Switzerland. It has been a privilege for me to serve as a lecturer in both the International Transactions Program and the Oxford Trade Program. (I am assured, however, that Governor Baliles' commencement speech to the International Transactions graduating class the year before mine still remains the better remembered!)

Dr. John Paden's article on China, one year after its accession into the WTO, reminds us how central the WTO and China have become to the global trading system. China is one of the major drivers in international trade, and its accession into the WTO plays a central and beneficial role. It was a pleasure to teach with John, in Geneva, at George Mason's program at the WTO. He is one of the most astute China watchers.

As important as new entrants are to the WTO (with Russia's membership looming), Dr. Malawer's lead article demonstrates that the WTO Dispute Resolution System has become the most significant global institution litigating and settling trade disputes—driving global trade governance and regulation peacefully in this new era of globalization. Indeed, governance of global trade through the WTO system, especially its litigation process and its application to new areas of global commerce such as services, has a domestic parallel in the Sarbanes-Oxley legislation. Dr. Kelley's article on foreign corporate governance and the global reach of this new legislation to the increasingly important issues of corporate behavior, accounting and auditing worldwide is, accordingly, a very timely examination.

Needless to say, the aviation sector of our economy remains newsworthy. Yet, aviation largely remains an industry outside of the WTO system—as it is based largely upon bilateral agreements. Governor Baliles and Greg Principato are, therefore, to be thanked for their extremely useful review of the complexities of the structural problems that continue to confront this industry. It is high time that more light is put on this vital issue.



Once again, I congratulate the Virginia State Bar and the *Virginia Lawyer* for recognizing the importance of global trade to Virginia's economic vitality and for recognizing the outstanding contribution of Dr. Stuart Malawer. In this global age of transnational transactions, it is critical for the legal profession and those active in business and politics in the Commonwealth to understand the varied issues raised by global trade today.

Kind regards,

A handwritten signature in black ink that reads "Peter". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Peter S. Watson

President & CEO of the Overseas Private Investment Corporation (OPIC) and formerly Chairman, U.S. International Trade Commission.