



International Chamber of Commerce
The world business organization

The International Chamber of Commerce

ICC is the world business organization, a representative body that speaks with authority on behalf of enterprises from all sectors in every part of the world.

The fundamental mission of ICC is to promote an open international trade and investment across frontiers and help business corporations meet the challenges and opportunities of globalization. Its conviction that trade is a powerful force for peace and prosperity dates from the organization's origins early in the 20th century. The small group of far-sighted business leaders who founded ICC called themselves "the merchants of peace".

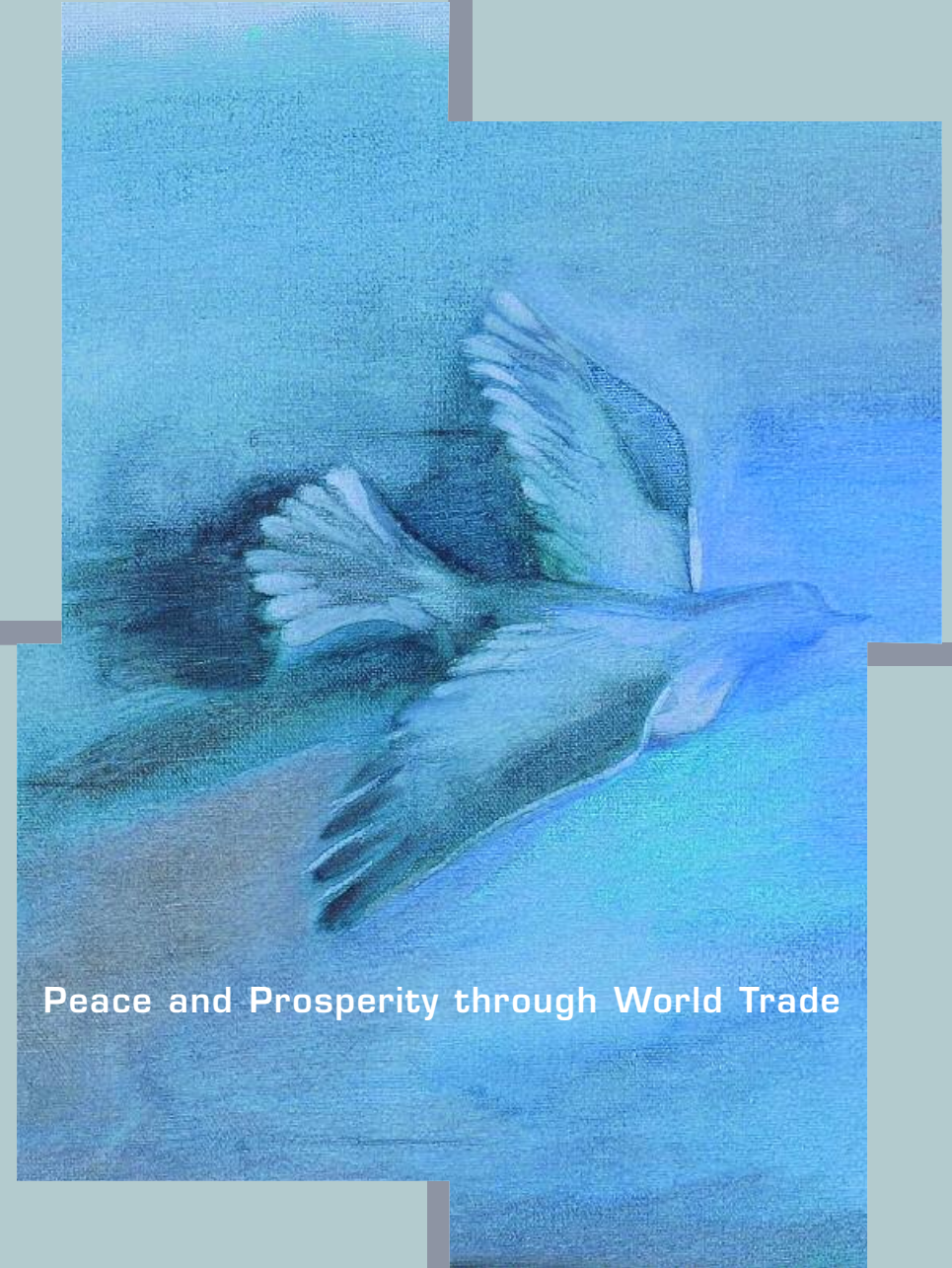
ICC has three main activities: rule setting, arbitration, and policy. Because its member companies and associations are themselves engaged in international business, ICC has unrivalled authority in making rules that govern the conduct of business across borders. Although these rules are voluntary, they are observed in countless thousands of transactions every day and have become part of the fabric of international trade.

ICC also provides essential services, foremost among them the ICC International Court of Arbitration, the world's leading arbitral institution. Another service is the World Chambers Federation, ICC's worldwide network of chambers of commerce, fostering interaction and exchange of chamber best practice.

Business leaders and experts drawn from the ICC membership establish the business stance on broad issues of trade and investment policy as well as on vital technical and sectoral subjects. These include financial services, information technologies, telecommunications, marketing ethics, the environment, transportation, competition law and intellectual property, among others.

ICC enjoys a close working relationship with the United Nations and other intergovernmental organizations, including the World Trade Organization, the G20 and the G8.

ICC was founded in 1919. Today it groups hundreds of thousands of member companies and associations from over 120 countries. National committees work with their members to address the concerns of the business in their countries and convey to their governments the business views formulated by ICC.



Peace and Prosperity through World Trade



International Chamber of Commerce
The world business organization

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ICC in 2010
Achievements, goals
and leadership



ICC in 2010

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ICC innovates in a time of challenge



As expected, 2009 was one of the most difficult years in recent memory, with the worst recession since World War II bankrupting companies, bringing unemployment to record levels, and raising public debt to dangerous heights. Yet as the year ended, the massive government interventions in the United States, Europe and Asia succeeded in averting the worst. The recession was declared officially over in the third quarter both in Western Europe and North America, and China and other Asian countries showed unexpectedly robust growth by year's end.

Nevertheless, it would be unreasonable to conclude that sustainable economic growth is around the corner. As the debt crisis in Dubai and the very significant public deficits in Greece, Britain, Spain, Ireland and the United States indicate, some unpleasant surprises may well lie ahead. The key challenge for governments this year will be to successfully end their stimulus programmes without plunging their economies back into recession.

One tangible contribution to sustainable growth is to successfully conclude the Doha Round of trade negotiations in 2010. Given a decline in world trade of around 12% in 2009, it is more urgent than ever that world leaders finally summon the political will to complete Doha. The decision by the G20 last April to guarantee US\$250 billion in trade finance support over two years was a welcome step, but as two surveys on trade finance by the ICC Banking Commission clearly showed, the level of world trade must pick up significantly before the world economy can return to a period of sustainable growth.

As the international community worked in relative harmony to face the crisis, one encouraging development was the emergence of the G20 as the premier forum for establishing international economic policy. Given that member countries represent 90% of global gross national product, the G20 reflects the new distribution of economic power in today's world. Yet despite commendable efforts by G20 leaders to contain protectionist pressures, any widespread resort to beggar-thy-neighbour measures would derail the recovery, which remains timid in most countries.

Throughout the year, ICC actively presented the global business agenda to the leaders of both the G20 and the G8, including private meetings with British Prime Minister Gordon Brown and Italian Prime Minister Silvio Berlusconi, the hosts to the summits.

During the course of 2009 ICC participated in a series of important international conferences, where we presented the views of the global business community. These included the Internet Governance Forum, the Fifth Global Congress on Combating Counterfeiting and Piracy, and the 15th Conference of the Parties to the United Nations Framework Convention on Climate Change.

A significant year

The past year was particularly significant for ICC, marking as it did the 90th anniversary of our founding. We duly celebrated that milestone with international events in Geneva, Paris, Kuala Lumpur, New York and New Delhi. Many members of the ICC national committee network organized local events.

But while we recognize the achievements of the past, we need to emphasize the future. The creation of the ICC Research Foundation was one of our forward-looking initiatives. In the same vein, 2010 will see the introduction of revised rules in two key areas; the *Uniform Rules for Demand Guarantees* that secure monetary and performance obligations in trade contracts; and the ICC official rules for the interpretation of trade terms, Incoterms® 2010.

In addition, we plan to capitalize more on our rule-writing activities, which are internationally recognized by both governments and multinational institutions and can generate

new revenues for ICC. We will also make a big effort to promote products deriving from our intellectual property by using new media.

Adapting to change

In a rapidly changing world, companies big and small must adapt to new, often difficult, circumstances. ICC is no exception. Since assuming the role of Secretary General last July, I have insisted that we take a fresh look at how we operate. Self-questioning is never easy, but it is essential if organizations, like people, are to evolve and move forward.

The economic crisis has been, at times, unfairly blamed on the business community as a whole. This is a misperception that ICC, as the voice of international business, has vigorously sought to correct. The core values that led to the creation of ICC 91 years ago – the promotion of international trade and investment, open markets, and the free flow of capital to bring people together and prevent war – are as relevant today as they were in 1919. We must not lose sight of those values even as we innovate, adapt and experiment to create a stronger, more responsive ICC.

Jean Rozwadowski
Secretary General

Working for business

A near-collapse of the international financial system that led to a global economic crisis, the sharpest drop in world trade in more than 60 years, and levels of unemployment not seen in three decades made the year 2009 an exceptionally difficult one for global business. ICC rose to the challenges posed by the recession by making known the views of international business at the highest governmental and intergovernmental levels, most especially the G20, which is becoming the premium forum for establishing international economic policy.

Celebrating ICC's first 90 years

Over the last 90 years the global economy has surged ahead, staking out unprecedented growth, reducing poverty, and delivering untold wealth to its increasingly interconnected nations. During the past nine decades the world's economies witnessed turmoil and challenges ranging from wars and political upheaval to runaway inflation and depression. It was with this historical perspective in mind that ICC celebrated its 90th anniversary in 2009 with a series of events around the world that concentrated on key business issues. In Geneva in February the ICC Research Foundation, created to reinforce ICC's role in providing intellectual leadership on long-term trade and investment policy issues,

was formally launched. The results of the Foundation's first three research projects – trade and employment, the future of market capitalism, and rethinking sustainable growth – were presented at a regional CEO summit in New Delhi in December.

In March, a dinner hosted in Paris by French Finance Minister Christine Lagarde honoured former ICC Chairmen, while in Kuala Lumpur, ICC governing bodies marked the institution's 90th anniversary at the 6th World Chambers Congress in June.

Then it was on to New York in October where UN Secretary General Ban Ki-moon was the keynote speaker at an ICC luncheon. He highlighted the long and special relationship between ICC and the UN, from ICC's support for the UN Charter in 1945 to its more recent role in the creation of the Global Compact. US Commerce Secretary Gary Locke gave the keynote address at the annual dinner of ICC's US affiliate, the United States Council for International Business. The gala at the Waldorf-Astoria hotel in Manhattan marked a double celebration: ICC's 90th anniversary and the 40th anniversary of US membership in the ATA Carnet System. "You've been a long-time advocate for the power of open markets to unlock human potential across the globe," Mr Locke told ICC. "And your work has never been more important than it is now."



ICC Chairman Victor K. Fung met with British Prime Minister Gordon Brown ahead of the G20 summit.

Speaking on behalf of global business

Throughout 2009, ICC campaigned vigorously to express the views of global business and facilitate cross-border trade and investment. On the eve of the G20 summit in London in April, for example, ICC published a half-page advertorial in the *Financial Times* urging the conclusion of the Doha Round of trade negotiations to revive world trade. ICC also teamed up with CNN to produce three infomercials on business and trade, intellectual property and copyright protection that highlighted ICC's work in helping global business succeed in the international marketplace. As part of this campaign, ICC's chairmanship met privately with British Prime Minister Gordon Brown and Italian Prime Minister Silvio Berlusconi, respectively the hosts of the G20 summit in London and the

G8 summit in L'Aquila, to convey the views of world business on the global economic crisis, climate change, and intellectual property and innovation.

In the run up to the G20 summits, the ICC Banking Commission published the results of two global surveys showing a sharp decline in trade finance. Its efforts provided important input to the April G20 summit decision approving US\$250 billion of support for trade finance over the next two years.

ICC also represented world business in a number of international summits throughout the year, including the Internet Governance Forum, the Fifth Global Congress on Combating Counterfeiting and Piracy, and the 15th Conference of the Parties to the United Nations Framework Convention on Climate Change in Copenhagen. On this crucial topic, ICC emphasized that sustainable solutions require the creative energy, flexibility and efficiency of the business world.

Our network of national committees worked with local business and governments to convey ICC's messages on the world economic crisis to their media and local leaders. The first Regional Consultative Groups, informal groups of ICC representatives from a specific geographic area, held highly successful gatherings to exchange best practices in Rotterdam, Santiago de Chile, and Sharjah in the United Arab Emirates.

> Davos 28.01-01.02.2009 > > > > London 16.01.2009 > > > > Geneva 02.02.2009 > > > > Geneva 02.02.2009 > > > > Lausanne 03.02.2009 > > > > Paris 18.02.2009 > >



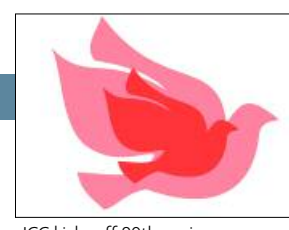
ICC Honorary Chairman Marcus Wallenberg represents ICC at the World Economic Forum



ICC International Maritime Bureau reports unprecedented rise in maritime hijackings



ICC Research Foundation is launched



ICC kicks off 90th anniversary celebrations



ICC jointly organizes seminar on trade and globalization

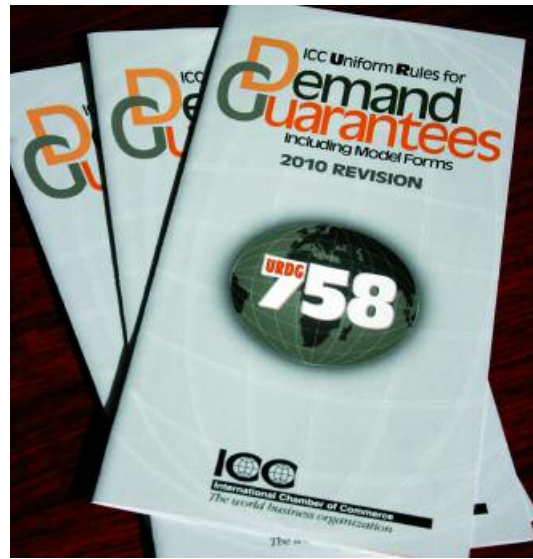


ICC Ifo World Economic Survey reports lowest economic index in history

Throughout the year, ICC policy commissions, the World Chambers Federation and the International Court of Arbitration continued their work on a wide variety of issues.

Rules-writing for business

ICC adopted a major revision of the *Uniform Rules for Demand Guarantees* (URDG), which are applied to hundreds of billions of dollars of demand guarantees, securing monetary and performance obligations in a wide array of international and domestic contracts. In the past, the URDG rules, which have gained increasing worldwide acceptance over the years, were adopted by the International Federation of Consulting Engineers in their model guarantee forms and later incorporated by the World Bank in all of its unconditional guarantee forms. The former rules were also endorsed by the United Nations Commission on International Trade Law, and national lawmakers have used them as a model for independent guarantee statutes. They also benefit from a unique dispute resolution mechanism under the ICC DOCDEX rules. The latest revision of the URDG, the first in 18 years, was carried out during a two-and-a-half year period and was a joint effort of the ICC Commission on Banking Technique and Practice and the ICC Commission on



The long-awaited revision of the ICC *Uniform Rules for Demand Guarantees* will enter into force on 1 July 2010.

Commercial Law and Practice, which are made up of representatives from banks, companies and law firms worldwide.

Goals for 2010. The year will mark the entry into force of the revised URDG in July 2010. These new rules confirm ICC's leadership role in rules-writing for business, especially in the area of trade finance. In 2010 the commission will revise the International Standard Banking Practice rules to bring them into conformity with ICC's *Uniform Customs and Practice for Documentary Credits* (UCP 600), and will seek to make progress on a set of international rules on forfaiting together with the International Forfaiting Association. ICC will also introduce new Incoterms® rules that will come into effect 1 January 2011. *(For a complete report on Incoterms, please go to pages 12 and 13.)*

Dispute Resolution

The ICC International Court of Arbitration, the world's leading institution for resolving international commercial and business disputes, continued to expand its global presence. A total of 817 new requests for arbitration were filed in 2009 under the ICC Rules of Arbitration, the largest number the Court has received since its inception in 1923. The total number of cases received by the Court in its 87-year history has now passed the 16,500 mark.

The ICC Commission on Arbitration continued its work on the revision of the ICC Rules of Arbitration, the role and needs of states and state entities in arbitration, and the production of electronic documents. Work is also ongoing to produce recommendations for the use of tribunal-appointed experts in the conduct of arbitration proceedings. In recognition of the growing importance of the Asia-Pacific area, ICC expanded its regional office in Singapore and named a director of ICC Arbitration and ICC Dispute Resolution Services in Asia.

The ICC Hearing Centre celebrated its first year of operation. The current year began on a positive note, with almost three times the business for the January-February period compared with 2009. The Centre can be used for disputes arising anywhere in the world

and for any kind of institutional or ad hoc arbitration, or for amicable dispute resolution. The Dispute Resolution Library, the ICC online database of arbitration materials (www.iccdrl.com), now provides access to more than 450 excerpts and summaries of ICC arbitral awards and allows consultation of the *Guide for Recognition and Enforcement of Arbitral Awards* under the 1958 New York Convention.

2010. Recommendations for the revision of the ICC Rules of Arbitration and the needs of states and state entities in arbitration should be completed this year. The Court will produce recommendations for the use of tribunal-appointed experts in the conduct of arbitration proceedings and will finalize the report on the essential features and effects of the production of electronic documents in international arbitration. It will also study the criteria that arbitrators may take into account in exercising their discretion in allocating the costs of the arbitration.

Working towards a cleaner planet

The past year was particularly significant for the environment, with attention focused on the United Nations Framework Convention on Climate Change (UNFCCC) in Copenhagen. Throughout the year, the ICC Commission on Environment and Energy advocated business

> Paris 23.02.2009 > > > > > > Paris 05.03.2009 > > > > > > London 12.03.2009 > > > > > > Istanbul 16-22.03.2009 > > > > > > Hong Kong 15.05.2009 > > > > > > Kuala Lumpur 03-05.06.2009 >



4th Annual International Commercial Mediation Competition winners announced



Minister of Economic Affairs, Industry and Employment Christine Lagarde attended ICC's 90th anniversary celebrations in Paris



ICC delegation meets privately with British Prime Minister Gordon Brown



ICC participates at the 5th World Water Forum



ICC Chairman Victor K. Fung meets Thai Prime Minister Abhisit Vejjajiva



6th World Chambers Congress

Working for business (continued)

views to governments, intergovernmental organizations and the media, calling for an agreement in Copenhagen that would provide business the clarity to increase investment and develop and deploy existing and new technologies to solve the climate challenge. In Copenhagen, ICC brought together leaders from business, government and international organizations at a Business Day to discuss the path to a low-carbon economy through the development and deployment of existing and new low-carbon technologies, greater public-private partnerships, strategic planning, enhanced research and development, and innovative financing. Given its global network and high consultative status with the UN, ICC is in a unique position to represent business from both developed and developing countries and ensure the transition towards a low-carbon economy while meeting the rising need for energy.

ICC put forward a clear plan to successfully tackle what may be the most important challenge of our time. Despite the disappointment of Copenhagen, ICC hopes that the coming year will see substantial progress on a binding global agreement so that an accord can be reached in Mexico in December.

2010. The commission plans to continue to provide global business views at the UNFCCC

and other processes as well as explore opportunities for business to transition towards a low-carbon economy. It will develop business positions on climate change based on outcomes of the 15th UNFCCC Conference of the Parties meeting in Copenhagen, including issues such as energy markets and security, technology transfer, carbon markets, and financing. ICC will lead the business delegation at the UNFCCC 16th Conference of the Parties meeting in Mexico.

Fighting corruption

As part of its continuing efforts to fight corruption and support a rules-based market economy, ICC launched the first part of a new anti-corruption tool, giving case-by-case advice to company employees on how they should act when faced with solicitations for bribes or extortion attempts. Known as *Resisting Extortion and Solicitation in International Transactions*, or RESIST, the tool is a joint project of ICC, Transparency International, the UN Global Compact and the World Economic Forum. The RESIST tool has attracted widespread interest and enthusiasm from companies and the media around the world. In March, the Chair and Vice-Chair of the ICC Commission on Anti-Corruption, Francois Vincke and Fritz Heimann respectively,



ICC representatives presented ICC's anti-corruption tools, to Angel Gurría, Secretary General of the Organization for Economic Cooperation and Development.

met with the Organization for Economic Cooperation and Development (OECD) Secretary General Angel Gurría to present the new anti-corruption tools as well as the updated version of the ICC publication *Fighting Corruption – International Corporate Integrity Handbook*. At the meeting in Paris, Mr Gurría indicated his organization's strong support for ICC's anti-corruption work. Represented by ICC, the international business community has long been involved in combating corruption because it undermines cross-border trade and investment, as well as full and fair competition between companies. In a letter to UN Secretary General Ban Ki-moon in May, chief executives from some of the world's leading companies called on governments to strengthen the implementation of the UN Convention Against Corruption. That is why ICC hailed the agreement on a new anti-corruption monitoring mechanism reached

at a conference on the UN Convention Against Corruption in Doha in November. The new mechanism, whose adoption ICC has been urging since the signature of the convention in 2003, calls for the 142 signatory states to conduct self-assessments and peer reviews by experts every five years that will be compiled in country review reports. In a key step forward, the executive summary of each report will be made public.

2010. The second phase of the RESIST programme detailing how to react to different cases of solicitation for bribes during the contract implementation phase will be released. Guidelines will be prepared on the use of third parties as agents and intermediaries, who can sometimes prove to be the "weak link" for companies implementing anti-corruption programmes.

Strengthening the case for self-regulation in marketing

The worldwide economic crisis has brought strong pressure for increased government regulation of key economic sectors. In this context, ICC warned against a mood of regulatory enthusiasm that could hamper business in areas where limited regulation or self-regulation is working well. As part of this effort ICC conducted a highly successful roundtable in Washington, DC

> Kuala Lumpur 05.06.2009 > > > >

> Rome 12.06.2009 > > > >

> Paris 01.07.2009 > > > >

> La Maddalena 08-10.07.2009 > > > >

> Vienna 20.07.2009 > > > >

> Paris 07.09.2009 > >



Winners of the World Chambers Competition announced



ICC meets with Silvio Berlusconi ahead of G8 summit



Jean Rozwadowski becomes ICC Secretary General



ICC issues statement to G8 leaders outlining business priorities



UN endorses ICC Documentary Credit Rules



ICC releases results of trade finance survey

Working for business (continued)

on the future of self-regulation. The sessions attracted participants from 11 countries, including Belgium, Brazil, China, Mexico, Sweden and Turkey, including officials from the US Federal Trade Commission, legal experts and industry representatives. The ICC Commission on Marketing and Advertising brought global experts together to coordinate their reaction to warnings by officials in the United States and the European Union to digital marketers to either increase privacy protection for consumers on the Internet or face government interference. The commission, which writes the international codes that underpin self-regulatory practice in marketing communications, decided to provide a forum to explore options, exchange views and build a consensus around the issue of Internet privacy in collaboration with the ICC Task Force on Protection of Personal Data and Privacy. The commission completed ICC's *Framework on Responsible Environmental Marketing Communications* to help advertisers avoid overstating or misrepresenting the environmental benefits of their products.

2010. The commission will launch and promote ICC's *Framework on Responsible Environmental Marketing Communications* at a seminar in New York and at subsequent events during the year. It will continue to

advocate this self-regulatory tool with the OECD Consumer Policy Committee and will bring a global business voice to their roundtable on green claims to be held in Paris in April. It will promote other ICC marketing codes and tools such as its recently adopted *Implementation Guide* and the joint ICC/INSEAD training module to help companies put the codes into practice. It will develop policy tools for further self-regulation guidance on digital media, particularly with regard to the data protection and privacy implications of emerging advertising practices. The *Consolidated ICC Code for Advertising and Marketing Communication Practice* will be reviewed in light of current practice and developments to assess the need for updating.

Handling the fallout from the financial crisis

The world economic crisis and the dramatic drop in trade finance witnessed in 2009 put the ICC Commission on Banking Technique and Practice in the forefront. The commission carried out two global surveys on trade finance, in March and September, and as the year ended was preparing a more extensive report involving 180 banks worldwide. The surveys concluded that despite an anticipated return to growth, problems relating to the availability of trade finance can be expected well into 2010. The March report helped in

securing the approval of a substantial number of measures to support trade flows. ICC was mandated by the World Trade Organization to gather reliable, quantitative and qualitative data on the current trade finance environment. The survey results were presented at a WTO Expert Meeting on Trade Finance in September just ahead of the G20 summit in Pittsburgh. With these surveys and other studies the ICC Banking Commission has become the leading body serving the trade finance industry. Finally, the commission issued its recommendations on Basel II capital adequacy framework. The ICC Banking Commission hosted two major meetings in 2009, one in Dubai in March and another in Brussels in November.



The ICC Commission on Banking Technique and Practices meetings attract more than 300 participants.

2010. The commission is developing an ICC Trade Finance Register with financial and technical support from the Asian Development Bank. The goal is to collect performance data for trade finance facilities on a collaborative basis, with a view to facilitating more realistic treatment of trade assets in the allocation of banks' capital. In March, the commission will formally unveil the revised *Uniform Rules for Demand Guarantees*. The third and largest global survey on trade finance will be released in April during a trade and finance conference in Beijing.

Promoting information and communications technologies

The ICC Commission on E-Business, IT and Telecommunications (EBITT) mobilized business in a large group of countries to encourage their governments to oppose a proposal by some member states in the International Telecommunications Union to establish a "tax" that would increase communications costs and reduce services between developing and developed countries. The commission also represented global business interests in the development of a draft recommendation by the Council of Europe that in ICC's opinion endorsed ill-informed and overly restrictive government intervention in online profiling. The commission

continued page 14

> New York 08.10.2009 > > > > Cambridge 09.10.2009 > > > > Sharm el-Sheikh 15-18.11.2009 > > > > New Delhi 03.12.2009 > > > > Cancun 03.12.2009 > > > > Copenhagen 07-18.12.2009 >



ICC and USCIB present business leadership awards



Seminar on "The Future of Capitalism" with Harvard Business School



ICC/BASIS participates in the 4th Internet Governance Forum



ICC Regional CEO Forum



5th Global Congress on Combating Counterfeiting and Piracy



ICC contributes input to UN Climate Change Conference (COP15) and organizes Global Business Day

INCOTERMS®¹ 2010: Revised trade rules for an inter-connected world

¹ INCOTERMS® is a trademark of the International Chamber of Commerce, registered in several countries.

When ICC first introduced the Incoterms standard commercial terms in 1936 they caused a sensation in the international business world. Representing a radically new concept in an industry regulated by local rules of law, the new terms were the first real attempt to bring coherence to a commercial and judicial system that diverged widely from one country to another.

“Among ICC’s many projects, the Incoterms rules were presented as a major element in the organization of international commerce. They proved to be extremely valuable and became a legal norm internationally recognized,” said Emmanuel Jolivet, General Counsel of the ICC International Court of Arbitration. “The Incoterms rules are a perfect example of an efficient standardization of an international business tool. Their day-to-day use in international sales contracts brings legal certainty to business transactions while simplifying the drafting of international contracts.”

Since they were first introduced, the Incoterms rules — standard terms which are used in contracts for the sale of goods and describe mainly the tasks, costs and risks involved in the delivery of goods from sellers to buyers — have been revised about once a decade to keep up with the rapid expansion of world trade and globalization.

A new version, Incoterms 2010, will be introduced in the fourth quarter of this year and will come into effect on 1 January 2011. The Incoterms standard clauses are one example of the ICC rules governing international business activities, with rules-setting making up one of the three pillars

of ICC’s activities along with policy advocacy and dispute resolution through arbitration.

Because the rules are developed by experts and practitioners brought together by ICC in a thorough consultative process, they are globally accepted and have become the standard in international business rules-setting.

“The global rules developed by ICC and used by companies in countless business transactions all over the world are an essential part of ICC’s work and set us apart from most other international business organizations,” Secretary General Jean Rozwadowski said.

The Incoterms rules are particularly important in that they help traders avoid misunderstandings by clarifying the costs, risks, and responsibilities of both buyers and sellers. Since the last revision in 2000, much has changed in global trade. Cargo security is now at the forefront of the transportation agenda for many countries. In addition, the United States’ Uniform Commercial Code was revised in 2004, resulting in a deletion of US shipment and delivery terms. The latest version of the Incoterms rules will reflect these changes and others.

The terms are being revised by a drafting group composed of representatives from seven countries who have met nine times since mid-2008. The three drafts they produced were presented to the ICC national committee network and their comments were reviewed and incorporated into a final text. ICC, through its international headquarters and its global network will be holding seminars and distributing materials, including the publication of the official book setting out the rules, to help make trade professionals familiar with the revised rules.

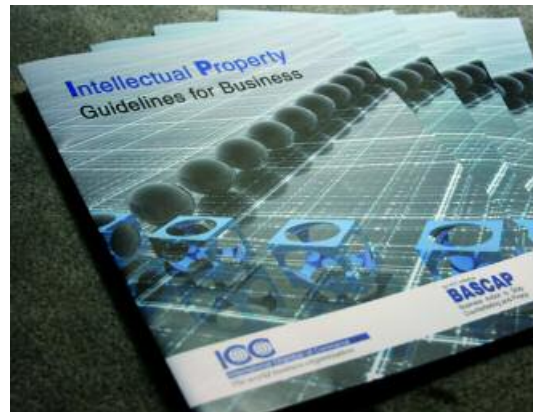


successfully advocated for broader input from the many different business interests that would be significantly affected by these recommendations. This effort culminated in the Council making their document public and holding a consultation for stakeholders not already participating in the process. The commission advanced development of cross border data transfer principles and practice tools for the 21 Asia Pacific Economic Cooperation countries and issued business recommendations to improve data protection processes in the European Union.

2010. The EBITT Commission will produce business tools and information on issues including cloud computing and data protection and processing. The commission will provide a strong and coordinated global business voice where cross-border data protection rules and policies are being explored including in the EU, APEC countries, the Council of Europe, and the OECD. It will strengthen business' voice in Internet Corporation for Assigned Names and Numbers (ICANN) structures by providing expertise and actively participating in the ICANN June 2010 meeting in Brussels.

EU competition fines out of line

The Commission on Competition took a firm position, widely echoed in the media, on the



ICC launched guidelines to help companies assess the effectiveness of their IP management policies.

European Commission's fining policy, expressing concern to the EU Commission and the European Parliament about the excesses of fines in competition cases and calling for a radical revision of the EU's fining guidelines. While ICC strongly condemns anti-competitive behaviour such as cartels and abuses of dominant positions, it is concerned that the principles of competition law enforcement are not sufficiently reflected in the manner in which fines are imposed in the EU. ICC outlined some key concerns, including the inconsistency of the rules governing the determination of sanctions with the requirements of a "fair trial" and problems with current calculation methods and parameters used in determining the level of fines.

2010. The commission will develop a recommendation paper outlining concerns about procedural fairness and due process in investigations by competition authorities into anti-competitive conduct. It will organize

a roundtable on the topic in conjunction with the annual conference of the International Competition Network in Istanbul in April.

Intellectual property (IP) protection

ICC established itself as the key business interlocutor on the Convention on Biological Diversity negotiations to reach an international agreement regulating access to genetic resources and sharing the benefits derived from them. David Koris, who serves as the General Counsel and Head of IP for Shell International, was named as the commission's new chair.

2010. The commission will issue the 10th edition of the *Roadmap on Current and Emerging Intellectual Property Issues for Business and Policy Makers*. It also plans to obtain support from governments for an international instrument on client legal privilege for advice on IP matters. It will develop an issues paper on patents and standards and also contribute actively to discussions on this and other issues with the World Intellectual Property Organization.

Transport and logistics

ICC submitted recommendations on emission standards for vessels to the International Maritime Organization. It also issued ICC's views on the UN Convention for the International

Carriage of Goods, which was adopted in September and is known informally as the "Rotterdam Rules." ICC emphasized in these comments that it stands ready to proactively facilitate business input into national and international discussions on the ratification of the Rotterdam Convention, with a view to bringing about uniformity in this important area of international law.

2010. The year will see the elaboration of policy recommendations on the regulation of the environmental impact of transport, including air transport and vessel emissions. The Transport and Logistics Commission will convey the practices and needs of transport users and providers as set out in the revision of the Incoterms rules. ICC will continue to address the need for investment in transport infrastructure to help stimulate new economic activity so that transport can best meet the needs of world trade.

Fighting commercial crime

Faced with a rise of piracy and armed robbery incidents on the high seas for the third consecutive year, the ICC International Maritime Bureau (IMB) played a key role in campaigning for a unique private-public partnership between navies of various countries and the maritime industry.

> Ankara 13.01.2010 > > > > > Singapore 21.01.2010 > > > > > New York 26.01.2010 > > > > > Brussels 26.01.2010 > > > > > Paris 09.02.2010 > > > > > Paris 12.02.2010 > >



ICC Chairman discusses economic recovery with President of Turkey



ICC inaugurates Regional Office at Maxwell Chambers in Singapore



ICC launches Framework on Responsible Environmental Marketing Communications



ICC takes part in World Customs Day celebrations



Revised ICC Uniform Rules for Demand Guarantees go on sale



5th ICC International Commercial Mediation Competition winners announced

Working for business (continued)



ICC Chairman Victor K. Fung addressed a press conference on the occasion of the 6th World Chambers Congress in Kuala Lumpur.

As a result, the number of successful maritime hijackings in the Gulf of Aden dropped. This is despite a 39% rise in the number of attacks worldwide, largely due to the situation off the Horn of Africa and the Northern Indian Ocean. In another accomplishment, IMB used the information obtained from trade finance studies to develop mechanisms to identify suspect trade finance transactions against banks around the world.

2010. The Commercial Crime Services (CCS) division of ICC will develop risk models for identifying trade finance frauds for the use of banks. It also aims to deploy the CCS FraudNet network of response agents in complex international frauds. CCS will continue development of a system of structured reports for members to identify suspect financial and money laundering schemes and develop a fraud risk information sharing system for shipping companies.

A crucial congress in a time of challenge

The World Chambers Federation (WCF) had a particularly active and productive year. Despite the economic crisis, the 6th World Chambers Congress gathered over 1,000 delegates from 105 countries in Kuala Lumpur. Under its theme, "Leading sustainable growth and change," dynamic discussions included the role chambers and business play in protecting vital resources such as energy, food and water. The World Chambers Competition rewarded the best-practice and outstanding achievements by chambers in a cross section of innovative business services.

In the area of trade facilitation, educational campaigns were held throughout the year, with successful Congress workshops on ATA Carnets and Preferential and Electronic Certificates of Origin, as well as specialized training for chambers and customs in Indonesia, the Philippines, Vietnam, Macao, the United Arab Emirates, Peru and China on the benefits of implementing the ATA System. In developing business opportunities for chamber members, WCF concluded a partnership agreement with the United Nations Procurement Division and opened its World Chambers Network (WCN) Business Opportunity Service to the Junior Chamber (JCI) network. New WCN ChamberTrust countries included Serbia, Russia and Ethiopia.

2010. WCF will select the host of the 8th World Chambers Congress (Africa/Middle East), and open sponsorship, speaker and topic programming for the 7th World Chambers Congress scheduled for 8-10 June 2011 in Mexico City. This year should see the implementation of the ATA System in Albania, Macao, Mexico, Moldova and the United Arab Emirates and the ratification of the Istanbul Convention by the Brazilian Government. WCF's capacity-building webinar series will continue with a variety of practical sessions including Certificates of Origin.

Conferences, seminars and events

The past year saw record attendance at almost all ICC-hosted events despite the financial crisis, testimony to the work and creativity that went into finding new concepts to attract a wider audience. A record number of 310 legal professionals attended the Miami conference: "International commercial arbitration in Latin America: the ICC perspective." The ICC/FIDIC Conference on "International construction contracts and the resolution of disputes" in Istanbul drew more than double the number of attendees expected, including all the key actors in the region. Two new initiatives were launched during the year – the Master class for Arbitrators in June and the Advanced PIDA seminar

on International Commercial Arbitration in November. The year also saw the celebration of the 30th anniversary of the ICC Law Institute and the second edition of the ICC Institute Prize. A total of 21 theses were entered into the competition, compared with 11 for the first edition, a result of the increased visibility of the prize over the past two years.

2010. The ICC Events Department will participate in a major campaign surrounding the new URDG and Incoterms rules in an effort to better serve customers, maximize revenue and increase the visibility of ICC and its partners. The department will launch the first online trainings, including webinars and webcasts, and is working on new training concepts. A new version of the ICC Events website, more modern and easier to view, was launched in early January.



The ICC national committee network is crucial in making certain that the voice of business is heard in individual countries worldwide.

> Damascus 15.02.2010 > > > > > Paris 28.02.2010 > > > > > San Francisco 14-16.03.2010 > > > > > Beijing 21-23.04.2010 > > > > > Paris 28.04.2010 > > > > > Istanbul 30.04.2010 > >



ICC Regional Consultative Group meets



ICC issues 2010 edition of Intellectual Property Roadmap



ICC Asia-Pacific Conference on international arbitration



ICC releases Global Trade Finance Survey



ICC seminar on Transfer Pricing Documentation and Dispute Resolution



Roundtable on due process in competition proceedings

BASCAP / fighting counterfeiting and piracy

One of the consequences of the global recession is that government efforts to stabilize the economy and stimulate economic growth, trade and employment must include the critical and pervasive role that intellectual property (IP) protection plays in driving innovation, development and jobs.

To emphasize this imperative, ICC's Business Action to Stop Counterfeiting and Piracy (BASCAP), commissioned a study revealing

that counterfeiting and piracy combine to cost G20 governments and consumers some US\$150 billion and place 2.5 million legitimate jobs at risk every year.

Since its creation in 2004, BASCAP has united the global business community to fight counterfeiting and piracy – an ever growing illicit activity that has moved far beyond luxury goods to include virtually every consumer product, such as counterfeit foods and beverages, pharmaceuticals, electronics, auto parts and everyday household products. Millions of consumers are now at risk from unsafe and ineffective products, and governments, businesses and society are being robbed of hundreds of billions in tax revenues, business income and jobs.

In 2009, BASCAP co-hosted the Fifth Global Congress on Combating Counterfeiting in December in Cancun, Mexico, where it published a first-ever global study on the factors that drive consumers to purchase counterfeit and pirated products. The study, which focused on Russia, the United Kingdom, South Korea, India and Mexico, is being widely adopted by governments and industry groups as guidance for educational campaigns to reduce consumer demand for fakes. The disturbing results revealed that 80%



BASCAP's Richard Heath, President of INTA and Vice-President of Unilever called for stronger measures in the battle against counterfeiting and piracy at the Fifth Global Congress on Combating Counterfeiting and Piracy.



At the 2009 Global Congress INTERPOL Secretary General Ronald Noble presented new approaches for more effectively combating counterfeiting and piracy.

of consumers spanning the developed and developing world regularly purchase counterfeit and pirated products. Perhaps even more troubling, those questioned showed little remorse or fear of the consequences, including potential health and safety risks to themselves or their families.

BASCAP also launched the *IP Guidelines for Business* in Europe, Saudi Arabia, China and Mexico, another demonstration of business's commitment to creating a value chain for IP protection. BASCAP continued to be the leading voice of business pressing for the implementation of the

Anti-Counterfeiting Trade Agreement to create higher benchmarks for government performance on IP enforcement. In this regard, BASCAP enlisted 30 national anti-counterfeiting associations worldwide to echo the views of business to governments.

Looking ahead

BASCAP in 2010 will host an international conference to publicize research on the value of IP-based industries to economic growth, innovation, trade and employment.

It will also develop and promote studies and tools for more effective IP enforcement, including best practices for supply chain intermediaries, guidelines for regulating free trade zones, a global assessment of health and safety regimes, and cost-benefit assessments of effective IP theft deterrents.

BASCAP will launch a global awareness campaign to educate consumers on the harms of counterfeiting and piracy and to provide business associations with a tool kit of media and education materials for local dissemination.

A final goal for the year will be to improve national IP enforcement regimes by creating BASCAP country-level action plans and coalitions in Russia, India and China.

> Warsaw 12.05.2010 > > > > > Mexico City 14.06.2010 > > > > > New York 24-25.06.2010 > > > > > Muskoka 25-27.06.2010 > > > > > Hong Kong 30.06.2010 > > > > > Paris 01.07.2010 > >



ICC Young Arbitrators Forum



International Arbitration Conference hosted by ICC and the International Bar Association



ICC Secretary General participates in UN Global Compact Leaders Summit



ICC outlines business priorities for G20/G8 summit



ICC World Business Summit 2010



Rajat Gupta slated to become ICC Chairman

BASIS / working for a global information society

Since its founding in 2006, ICC's Business Action to Support the Information Society (BASIS) has represented the global business community in the international dialogue on how information and communication technologies (ICTs) and the Internet can better serve as engines of economic growth and social development.

This past year, BASIS participated actively in the Internet Governance Forum (IGF) in Sharm el-Sheikh, Egypt, with business leaders arguing that putting in place the necessary conditions for further development of the Internet can serve as engines of economic growth and social development. "Harnessed appropriately, the Internet has an important role to play in helping to address an array of challenges ranging from economic recovery to climate change," ICC Secretary General Jean Rozwadowski told the forum.

He underscored that a holistic but evenly distributed approach to Internet governance was the only way to ensure that the right decisions are made. "No one group can or should address Internet governance issues alone," Mr Rozwadowski said.

ICC expressed particular concern that the IGF's five-year mandate, which is due to expire this year, may not be renewed. Convened under



ICC Secretary General Jean Rozwadowski addressed the opening ceremony of the 2009 Internet Governance Forum.

the aegis of the UN Secretary General, the IGF is the only forum where all entities – including business, governments, civil society and the technical community – can discuss issues of Internet governance on an equal footing. This establishes an environment of open exchange, critical to informed policy-making that takes the views of all Internet users into consideration.

BASIS' global membership is made up of companies and associations from a wide range of sectors in the business world, and speaks out on issues ranging from connectivity and access to Internet governance issues including data protection, privacy and security.

In 2009 BASIS increased its membership and financial supporters, an important step in establishing its broad-based and continued leadership. BASIS also developed and implemented a more effective communications strategy with strong support and resources from ICC's Commission on E-Business, IT and Telecoms and the BASIS Chairs and their companies.

BASIS remains a key advocacy vehicle for companies and associations, and the primary resource for business expertise for governments, international organizations and other stakeholders.

The year ahead

BASIS will take an active role to ensure that the IGF is continued beyond its current five-year mandate with its founding principles intact through advocacy efforts with UN member states that will make the decision. It will also represent global business at the next IGF in Vilnius, Lithuania, in September and will coordinate input into the preparations for the forum.

Throughout the year, BASIS will build on strategic communications efforts to raise awareness concerning business priorities regarding Internet governance issues

and advocacy efforts to strengthen participation and support, particularly of business from developing countries, and will work closely with ICC Lithuania on this important opportunity.

BASIS will profile ICC and EBITT Commission positions and products at the IGF in Vilnius, reaching the 1,200-1,500 expected participants from governments, intergovernmental and international organizations, as well as technical experts, civil society and business from around the world.



At a co-hosted workshop, ICC highlighted how getting Internet policy right can boost economic growth.



Internet Governance Forum

> > > >

Paris 1-30.09.2010 > > > >



ICC launches Incoterms® 2010

> > > >

Paris 31.10.2010 > > > >



8th World Chambers Congress host announced

> > > >

Seoul 11-12.11. 2010 > > > >



ICC provides business views to G20 summit

> > > >

Cancun 29.11-10.12.2010 > > > >



ICC contributes business input to UN Climate Change Conference (COP16)

> > > >

Mauritius 13-14.12.2010 >



Launch conference for Mauritius as an arbitral jurisdiction

The ICC national committee network

ICC's influence around the world is due in large part to its global network of national committees and groups. Located in more than 90 countries, it is the job of regional representatives to voice the interests of business to their national governments, and also to provide input to ICC's policy work.

In countries where a national committee has yet to be formed, companies can join ICC individually by becoming a direct member. ICC membership is currently bolstered by direct members in some 37 additional countries.

ICC Algeria	ICC Denmark	ICC Korea	ICC Saudi Arabia
ICC Argentina	ICC Dominican Republic	ICC Kuwait	ICC Senegal
ICC Australia	ICC Ecuador	ICC Lebanon	ICC Serbia
ICC Austria	ICC Egypt	ICC Lithuania	ICC Singapore
ICC Bahrain	ICC El Salvador	ICC Luxembourg	ICC Slovakia
ICC Bangladesh	ICC Finland	ICC Madagascar	ICC Slovenia
ICC Belgium	ICC France	ICC Malaysia	ICC South Africa
ICC Bolivia	ICC Georgia	ICC Mexico	ICC Spain
ICC Brazil	ICC Germany	ICC Monaco	ICC Sri Lanka
ICC Bulgaria	ICC Ghana	ICC Morocco	ICC Sweden
ICC Burkina Faso	ICC Greece	ICC Nepal	ICC Switzerland
ICC Cameroon	ICC Guatemala	ICC Netherlands	ICC Syria
ICC Canada	ICC Hong Kong, China	ICC New Zealand	ICC Tanzania
ICC Caribbean	ICC Hungary	ICC Nigeria	ICC Thailand
ICC Chile	ICC Iceland	ICC Norway	ICC Togo
ICC China	ICC India	ICC Pakistan	ICC Tunisia
Chinese Taipei Business Council of ICC	ICC Indonesia	ICC Panama	ICC Turkey
ICC Colombia	ICC Iran (Islamic Republic)	ICC Philippines	ICC Ukraine
ICC Costa Rica	ICC Ireland	ICC Poland	ICC United Arab Emirates
ICC Croatia	ICC Israel	ICC Portugal	ICC United Kingdom
ICC Cuba	ICC Italy	ICC Qatar	ICC United States
ICC Cyprus	ICC Japan	ICC Romania	ICC Uruguay
ICC Czech Republic	ICC Jordan	ICC Russia	ICC Venezuela

ICC Executive Board 2010

The Executive Board is responsible for developing and implementing ICC's strategy, policy and programme of action and for overseeing the financial affairs of the world business organization. In particular, it is responsible for recommending to the ICC World Council the appointment of the ICC Chairmanship and Secretary General as well as approving all policy documents.

The Board is composed of 24 persons comprising ex-officio members and elected members who serve for a three-year term. The Chairmanship and Secretary General are also members.

Chairmanship and Secretary General

Victor K. Fung ICC Chairman	Marcus Wallenberg ICC Honorary Chairman
Rajat Gupta ICC Vice-Chairman	Jean Rozwadowski ICC Secretary General

Elected members

Abdul Rahman Attar Syria	William G. Parrett United States
John Buchanan United Kingdom	Mikio Sasaki Japan
Guillermo de la Dehesa Spain	Andreas Schmid Switzerland
Pierre A. Froidevaux Mexico	Oren Shachor Israel
Manfred Gentz Germany	Andrea Tomat Italy
Martin Granholm Finland	Kees van der Waaij Netherlands
Young Tae Kim Korea	Gerard Worms France
Peter Mihok Slovak Republic	Chen Yuan China
Yogendra Modi India	

Ex officio members

John Beechey Chairman of the International Court of Arbitration	Rona Yircali Chairman of the World Chambers Federation
Jorma Ollila Chairman of the World Business Council for Sustainable Development	

Chairmanship and Secretary General



Victor K. Fung, Chairman

Chairman of the Li & Fung group of companies and the Greater Pearl River Delta Business Council. Mr Fung was Chairman of the Hong Kong Trade Development Council from 1991 to 2000, Chairman of the Hong Kong Airport Authority from 1998 to May 2008 and Chairman of the Council of The University of Hong Kong from 2001 to 2009. He became ICC Chairman on 1 July 2008.



Rajat Kumar Gupta, Vice-Chairman

Currently the Senior Partner Emeritus of McKinsey & Company, Mr Gupta served as the Managing Director Worldwide of McKinsey from 1994 to 2003. Mr Gupta is an independent Director of Goldman Sachs, Procter & Gamble, AMR Corporation and Qatar Financial Centre. He became ICC Vice-Chairman on 1 July 2008.



Marcus Wallenberg, Honorary Chairman

Chairman of Skandinaviska Enskilda Banken, Saab and Electrolux. Mr Wallenberg is also the Vice-Chairman of LM Ericsson. From 1999 to 2005 he was President and CEO of Investor, having previously been Executive Vice-President of the company. Prior to this he was Director of Stora Feldmuhle, Dusseldorf. He serves on the boards of AstraZeneca, Stora Enso Oyj, the Knut and Alice Wallenberg Foundation and Temasek Holdings.



Jean Rozwadowski, Secretary General

A French national, Jean Rozwadowski became Secretary General on 1 July 2009. Previously, Mr Rozwadowski was President of the Latin American and Caribbean Division of MasterCard. Prior to that he was the company's Executive Vice-President for Europe, the Middle East and Africa, based in Brussels. Before joining MasterCard, Mr Rozwadowski held numerous executive positions during a 20-year career with American Express, leading the Southeast Asia and Middle East divisions, based respectively in Singapore and Bahrain, and heading American Express operations in Brazil for six years. Mr Rozwadowski also served as President of the American Chamber of Commerce in Sao Paulo, Brazil.

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