
International Chamber of Commerce Studies Cross-Border Jurisdictional Issues Arising from E-Commerce

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The rapid spread of electronic commerce has raised issues about the ability of courts in different countries to assert jurisdiction over companies which sell or advertise products or services over the Internet.

The International Chamber of Commerce ("ICC"), one of the foremost worldwide business organizations, has convened a committee to make formal recommendations to governments and courts about these issues. The ICC hopes to be able to provide input from businesses so that rules adopted by national statute and courts will be realistic and predictable.

Among the many issues to be discussed by the ICC Committee include:

1. Should jurisdiction for lawsuits be based more on the place of origin of electronic communications, the place of destination, or some combination?
2. Should a country's courts have jurisdiction over the sender of an electronic message or owner of a Web site even though the sender had no specific intent to reach that country and engaged in no financial transactions in that country?
3. Should parties to an electronic transaction be allowed to specify a limited country or counties for lawsuits?
4. Should parties which engage in electronic commerce or owners of Web sites be required to list their geographic locations in their messages and/or web pages?
5. Should web pages list mechanisms for consumer complaints or other dispute resolution?

Hale and Dorr senior partner Richard A. Johnston has been appointed as one of the American representatives to the ICC Committee. Mr. Johnston is in a position to bring your interests and concerns to the attention of the committee as part of the recommendation process.

If you have ideas or suggestions which you would like to raise, feel free to contact [Richard A. Johnston](#) at 617-526-6282 or richard.johnston@haledorr.com

